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Cum permissu superiorum.

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ROBERT COWTON, O.F.M. AND THE ANALOGY OF THE CONCEPT OF BEING

The early-fourteenth century Oxford Franciscan Master Robert Cowton has been the subject of many studies,¹ and parts of his *Commentary on the Sentences* have already been edited. Of Book I the texts of the Prologue, questions 2, 5, 6 and 7 have been published;² and in the present article we will edit question 4 of the same Prologue. Distinctions 38 and 39 of Book I also have been edited, by H. Schwamm.³ Most of the other attention given to Cowton has centered on Book III and we have an edition of the opening question of that book,⁴ along with the texts of Distinctions 3,⁵ 23,⁶ 33⁷ and 36.⁸

Among contemporary students of Cowton's works there is a difference of opinion when it comes to dating his *Sentences*. C. Balić has estimated that Cowton wrote his *Commentary on Book I of the Sentences* between 1303 and 1308.⁹ Robert cites the *Lectura prima* of Scotus but not his *Ordinatio*. Dom. O. Lottin has indicated the complicated interplay between the *Commentary on Book III* of Cowton and the various re-

¹ H. Schwamm, *Robert Cowton O.F.M. über das göttliche Vorherwissen* (Philosophie und Grenzwissenschaften 3, 5), Innsbruck, 1931; B. Hechich, *De Immaculata Conceptione beatae Mariae virginis secundum Thomam de Sutton, O.P. et Robertum de Cowton, O.F.M.* (Bibliotheca Immaculatae Conceptionis, Textus et Disquisitiones 7) Rome, 1958; H. Theissing, *Glaube und Theologie bei Robert Cowton O.F.M.* (Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters, 42, 3), Münster, 1970.

² H. Theissing in his study has edited all these questions directly concerning the nature of theology, *Glaube und Theologie* . . . , pp. 257—321; we ourselves had previously edited question 7 of the Prologue as one of the sources of William Ockham's *Commentary on the Sentences*: "Sources for Ockham's Prologue to the *Sentences* — II" in *Franciscan Studies* 27 (1967), pp. 40—60.

³ H. Schwamm, *Robert Cowton O.F.M.* . . . , pp. 5—23.

⁴ V. Nadalin, *Roberti de Cowton, O.F.M. Quaestio disputata de ratione primaria Incarnationis* (Pontificia Universitas Lateranensis) Rome, 1961, pp. 31—58.

⁵ B. Hechich, *De Immaculata Conceptione* . . . , pp. 72—116.

⁶ H. Theissing, *Glaube und Theologie* . . . , pp. 322—330.

⁷ T. Graf, *De subiecto psychico gratiae et virtutum, pars I* (Studia Anselmiana, 3—4), Rome, 1935, pp. 70—112.

⁸ O. Lottin, "La connexion des vertus morales acquises au début du XIVe siècle" in *Recherches de Théologie ancienne et médiévale* 22 (1955), pp. 273—286.

⁹ According to a letter quoted by O. Lottin, *Psychologie et Morale aux XIIe et XIIIe siècles*, t. VI (Gembloux), p. 426.

dactions of Scotus' Book III, and he has also suggested that Robert's *Commentary* is posterior to the oral teaching of Scotus but anterior to the *Ordinatio*.¹⁰ B. Hechich has contested the basic assumption of Balić and Lottin: since Scotus' *Ordinatio* is not quoted, therefore Cowton wrote his *Sentences* before the *Ordinatio*. Hechich argues that Cowton depends often on the *Commentary* of William of Nottingham and that Nottingham cites Scotus' *Ordinatio*. He locates Cowton's *Sentences* between the time of Nottingham's *Commentary* (after Scotus's *Ordinatio*) and the *Quodlibet* of James of Ascoli, disputed in 1311 or 1312, which quotes Cowton's *Sentences* on the question of future contingents. Cowton's work according to Hechich must therefore be placed between 1309—1311.¹¹ Both V. Nadalin¹² and H. Theissing¹³ agree with Hechich's conclusion concerning the dating. Within the limits of our study we can offer no new dating thesis, but our edition of question 4 of the Prologue of Book I confirms the observation of Balić that Cowton himself does not cite Scotus' *Ordinatio*, and we also agree with the other conclusion which Lottin drew from this: Cowton is a faithful echo of the *oral* teaching of Scotus.

In the question we have here edited we find the independent spirit of Cowton.¹⁴ He knows Scotus' oral teaching on univocity but keeps his own path and does not walk in the Subtle Doctor's footsteps. His concern is quite the opposite of Scotus. Scotus saw a univocal concept of being as necessary to provide man with a positive natural knowledge of God. While he accents this concern Scotus is quite confident that his position on the unity of the concept of being in no way compromises God's transcendence. Cowton, like Henry of Ghent and many other thinkers of the time, is more concerned with protecting God's transcendence. He rejects univocity to avoid compromising God's otherness and is just as convinced, as Scotus was on his side, that he does not prevent man's positive knowledge of God.

Though Cowton is critical of Scotus, there is a way in which he would agree with him at least in criticizing certain theories of the analogy

¹⁰ O. Lottin, *Psychologie et Morale* . . . , t. VI, pp. 440—441.

¹¹ B. Hechich, *De Immaculata Conceptione* . . . , pp. 32—41.

¹² V. Nadalin, *Roberti de Cowton, O.F.M.* . . . , pp. 7—10.

¹³ H. Theissing, *Glaube und Theologie* . . . , pp. 11—12.

¹⁴ Cowton's independence from Scotus on the subject of univocity has been pointed out by Theissing, pp. 35—39, but we think his interpretation of Cowton's critique of the Subtle Doctor's argument from experience takes Cowton's words too personally. Cowton is using an argument of Henry of Ghent against Scotus, not attacking him in a personally sharp manner. See. H. Theissing, *Glaube und Theologie* . . . , p. 36, and Henry of Ghent, *Summa*, art. 21, q. 2 (I, ff. 124vO).

of being. For Cowton analogy is only of two kinds. One kind is where the *ratio* is the same in each of the analogates but is found primarily in one and secondarily in the other. The second kind of analogy is where the *ratio* is diverse in each analogate, but still the *rationes* of each are related to one another. He cannot imagine any other form of analogy. When he examines both types of analogy in regard to being he finds them lacking. Following Boethius and Grosseteste he argues that there is no identical *ratio* of being predicable of God and creatures. Even though he will admit that in their being all creatures are related to God and dependent upon Him, still he rejects the second form of analogy. It is true that the *ratio* of being is diverse in God and creatures and *in their being* there is a dependence of creatures on God. But *being* in its signification does not *express* this dependence. For this reason Cowton describes the meaning of being as equivocal, but not purely so. To have pure equivocality you must fulfill both the formal and material conditions of equivocality. The formal conditions of equivocality are that the name is common in each stance but that the *ratio* in each case is diverse. The material condition is that these diverse *rationes* have no relation *in being* to one another. In the case of *being* we have the formal conditions fulfilled but not the material conditions. So, *being* is imperfectly equivocal. Nonetheless it is equivocal and not analogous since the *connection in being* is not expressly signified by the term *being*. Formally speaking, Cowton contends, *being* is thus equivocal, not analogous or univocal.¹⁵

Many manuscripts of Cowton's *Sentences* exist in both their original form and in the abbreviated form given them by Richard Snetisham.¹⁶ For our edition we have used the text of Merton *ms.* 93¹⁷ (ff. 13rb—17va) as the basic text and where necessary we employed the Balliol *ms.* 199¹⁸ (ff. 31va—36ra) for corrections of evident faults and omissions. Both manuscripts are of excellent quality and come from the fourteenth century. We will use the letter M to signify the Merton manuscript and

¹⁵ Thomas Anglicus in fighting against Cowton will simply employ the texts of Cowton himself for all three positions (univocity, analogy, equivocality) while, however, returning to the position of analogy. Schmaus' edition of this polemic against Cowton could benefit from some clear editorial divisions, instead of mixing the arguments for the various positions in the manner presented. In Schmaus' edition it is difficult to determine where the arguments for univocity finish and those for equivocality begin.

¹⁶ For the list of Manuscripts see B. Hechich, *De Immaculata Conceptione...*, pp. 7—11.

¹⁷ See the description of this manuscript given by F. M. Powicke, *The Medieval Books of Merton College*, Oxford, 1931, p. 189.

¹⁸ See the description of this manuscript given by R. A. B. Mynors, *Catalogue of the Manuscripts of Balliol College*, Oxford, pp. 197—198.

the letter B to indicate the Balliol text. We filled in the minor evident omissions of the Merton text only when justified by the Balliol manuscript and we employed brackets to show that they are not in the Merton text.

⟨Robertus Cowton, *In I Sent.*, Prol. q. 4⟩

Utrum isti causae efficienti primae et aliis posterioribus sit aliquid positivum univocum.

Quod sic:

Theologice probo, quia si non, sequitur quod ⟨Deus⟩ nullius esset causa. Consequens falsum, igitur et antecedens. Falsitas consequentis patet ex quaestione praecedenti ubi probatur ⟨Deum⟩ esse causam omnium aliorum a se. Consequentia probatur, quia si¹ nihil esset commune univocum sibi et aliis nihil aliud cognosceret a se.² Et cum sit agens per intellectum et³ perfectum et primum, si nihil cognosceret nihil causaret. Sed nihil aliud cognosceret si nihil esset univocum sibi et aliis, quia cum omnis⁴ cognitio fit per assimilationem⁵ cognoscentis ad cognitum, numquam cognoscendo propriam essentiam cognosceret aliud, nisi essentia esset similitudo illius. Sed hoc sufficit ad univocationem, quod Ipse assimilatur aliis secundum aliquam formam seu perfectionem; ergo etc.

Item, et est quasi confirmatio assumpti: quandocumque aliqua plura habent similitudinem et convenientiam in aliqua perfectione seu forma, ipsa univocantur in illa. Sed huiusmodi⁶ sunt primum efficiens et illa quae ab ipso causantur; igitur etc. Minor probatur per Philosophum, V *Metaphysicae*, cap. 'De perfecto',⁷ ubi dicit quod illud⁸ est perfectum simpliciter in quo perfectiones generum inveniuntur. Ubi dicit Commentator, commento 20 illius V^{1,9} quod haec "est dispositio ipsius primi principii, scilicet Dei". Sed perfectiones aliorum¹⁰ generum inveniri in Ipso non dicerentur nisi aliqua similitudo perfectionis illius esset ad perfectiones aliorum generum; quare etc.

¹ si *om.* B.

² a se *om.* B.

³ et *om.* M.

⁴ omnis/communis M.

⁵ per assimilationem/prior assimilatione M.

⁶ Sed huiusmodi/cuiusmodi B.

⁷ Aristot., *Metaph.*, V, t. 21 (1021b 17).

⁸ illud *om.* B.

⁹ Averroes, *In Aristot. Metaph.*, V, com. 21 (ed. Iuntina, VIII, Venetiis, 1552, f. 62ra).

¹⁰ aliorum/illorum B.

Item, ens per se praedicatur de primo principio effectivo et de aliis, quia ens est de per se intellectu cuiuslibet, secundum Philosophum, IV *Metaphysicae*.¹¹ Sed ens dicit univocum conceptum in omnibus entibus. Igitur saltem ens univoce dicitur de primo principio et de aliis. Probatio minoris est quia ens et non-ens contradicunt; sed contradictio non est nisi in univocis, non est¹² in aequivocis, secundum Philosophum in libro *Elenchorum*,¹³ igitur ens est quid univocum de se. Minor illius probatur, quia Philosophus, I *Physicorum*,¹⁴ contra Parmenidem reducit ad hoc inconveniens ex hoc quod ponit tantum unum esse, quod ens sit non-ens; sed hoc non esset inconveniens si ens diceretur aequivoce vel analogice, quia tunc ens pro uno significato posset esse non-ens pro alio. Item, probatio minoris¹⁵ iterum sic, scilicet quod ibi sit contradictio, quia haec est contradictio 'aliquid est' et 'nihil est'. Sed 'aliquid' est eiusdem ambitus cuius et ens; igitur haec est vera contradictio 'ens est, non-ens est'.

Item, ad principalem: probo quod ens sit univocum, quia sequitur 'haec est substantia, igitur est ens', quia antecedens¹⁶ non potest esse verum sine consequente.¹⁷ Et in aequivocis non potest esse consequentia, quia non habent opposita, ut de opposito consequentis sequatur oppositum antecedentis in probatione consequentiae.

Item, 'possibile' est eiusdem ambitus cum ente, quia omne quod est possibile est ens. Sed possibile dicitur univoce de his de quibus dicitur; quare et ens. Probatio assumpti, quia possibile et impossibile contradicunt, et possibile sequitur ad necesse.¹⁸ Sed in aequivocis nec contradictio nec consequentia est; quare etc.

Item, secundum Philosophum, VII *Physicorum*,¹⁹ in aequivocis non est comparatio. Sed secundum ens est comparatio; igitur non est aequivocum. Probatio minoris dupliciter: quia substantia est magis ens accidente et unum accidens alio; ergo etc.

Item ad idem, II *Metaphysicae*, dicit Philosophus²⁰ quod unumquodque est magis tale quod est ratio aliis ut²¹ talia dicuntur. Ideo principia sempiternorum maxime sunt vera, quia sunt aliis causa veri-

¹¹ Aristot., *Metaph.*, IV, t. 2 (1003b 11—14).

¹² est *om.* B.

¹³ Aristot., *De soph. elenchis*, c. 7 (169a 22—169b 17).

¹⁴ Aristot., *Physica*, I, t. 13 (185a 20—21).

¹⁵ probatio minoris/probatur minor B.

¹⁶ antecedens/aliam M.

¹⁷ consequente/entitate M.

¹⁸ necesse/esse *add.* B.

¹⁹ Aristot., *Physica*, VII, t. 4 (248b 7—10).

²⁰ Aristot., *Metaph.*, II, t. 4 (993b 24—26).

²¹ ut *cm.* B.

tatis. Igitur primum principium et alia comparantur in veritate, igitur habent veritatem univocam. Sed sicut se habent ad esse sic ad verum.²² Si igitur comparantur in veritate, et in entitate; igitur univoce in utroque.

Ad oppositum:

Theologie: ubicumque est univocatio aliquorum in aliquo ibi potest esse comparatio eorum in eodem; sed Dei ad creaturam nulla potest esse²³ comparatio; quare nihil potest eis esse univocum. Probatio minoris: ubi est comparatio multorum in aliquo ibi est similitudo, secundum illud Isaiae 40:²⁴ *Cui similem fecisti Deum?* Quasi diceret: nulli similis esse potest.

Item, Porphyrius:²⁵ "Si quis omnia entia vocet, aequivoce nuncupabit, non univoce". Sed Porphyrius erat logicus. Igitur negat univocationem logicam entis ad omnia entia. Univocatio logica consistit in unitate conceptus. Negat igitur ens habere conceptum univocum. Cum igitur a parte rerum sub ente sit maxima analogia vel aequivocatio, forte sequitur quod ens nullo modo esset univocum, quia nec logice nec realiter.

<OPINIO AVICENNAE ET SCOTI>

In ista quaestione sunt tres opiniones. Una quod ens, ut distinguitur contra nihil, dicit unum conceptum formaliter communem omnibus entibus,²⁶ Deo et etiam creaturae, substantiae et accidentibus. Et Avicenna videtur fuisse auctor istius opinionis, quia dicit I *Metaphysicae* suae, cap. 2:²⁷ "Ens inquantum est ens commune est his, id est, inferioribus, quorum quaedam sunt ei ut species, ut substantia, quantitas, qualitas, quoniam esse²⁸ non eget dividi in alia priusquam in illa sicut substantia egit dividi in alia antequam perveniat ad dividendum hominem et non-hominem". Infra, etiam eodem libro, cap. 6:²⁹ "Quamvis ens non sit genus, nec dicatur aequaliter de eis quae sub ipsa sunt, tamen intentio qua conveniunt secundum prius et posterius primo convenit quidditati in substantia, deinde ei quod est post ipsum. Post-

²² verum/unum B.

²³ potest esse/fit B.

²⁴ Isaías 40, 18.

²⁵ Porphyrius, *Introductio in Aristot. Categorias*, cap. 'De specie' (ed. A. Busse, *Commentaria in Aristot. graeca*, IV, 1, Berlin, 1887, 6, 9—10; 31, 13—14).

²⁶ entibus om. M.

²⁷ Avicenna, *Metaph.*, I, cap. 2 (ed. Venetiis, 1508, f. 70vb).

²⁸ esse/egi B.

²⁹ Avicenna, *Metaph.*, I, cap. 6 (ed. Venetiis, 1508, f. 72vb).

quam autem una intentio est ens, sequuntur accidentia quae ei sunt propria". Ubi³⁰ videtur dicere expresse quod ens dicit intentionem unam in omnibus.

Alii,³¹ tenentes superficiem huius litterae,³² tenent hanc opinionem³³ esse veram et dicunt: hoc quilibet experitur in seipso, quod ipse potest abstrahere unum conceptum entis ab omnibus et concipere ens univoco conceptu ut ens distinguitur contra nihil, non includendo in illo conceptu limitationem vel non-limitationem, effectus vel causae, creatoris vel creaturae; et per consequens iste conceptus unus communis erit omnibus, quamvis sit³⁴ analogia in rebus ipsis. Et haec opinio est valde probabilis, et multipliciter confirmatur quod ens habeat conceptum unum communem omnibus.

Probatio:³⁵ quodcumque³⁶ aliqua passio convenit pluribus, convenit eis per aliquam naturam unius cui illud convenit primo. Sed praedicari in quid contingit substantiae et quantitati. Ergo convenit eis³⁷ per aliquam naturam alicuius unius cui illa passio primo convenit. Sed nulli alii ab ente convenit primo praedicari in quid. Igitur ens secundum se est aliquid unum.

Et confirmatur,³⁸ quia sicut una passio realis requirit unum subiectum primum reale, ita passio una rationis requirit subiectum unum secundum rationem. Sed praedicari in quid est una passio rationis. Igitur subiectum eius primum, quod est ens, erit unum secundum rationem et conceptum³⁹.

Item,⁴⁰ III *Metaphysicae*,⁴¹ ens non est genus, quia est de conceptu cuiuslibet. Sed si esset aequivocum, secundum significatum unum esset idem cum substantia et extra intellectum accidentis, et ita non esset de conceptu⁴² cuiuslibet.

Item,⁴³ scientia formaliter una secundum se requirit primum subiectum formaliter unum et univocum, cuius probatio est: I *Posteriorum*⁴⁴

³⁰ Ubi/Hoc B.

³¹ Scotus, *Metaph.*, IV, q. 1 (ed. Wadding, IV, 574—579); *Lectura.*, I, d. 3, p. 1, qq. 1—2, nn. 18—34 (ed. Vaticana, XVI, 231—237); *Reportat. Paris.*, I, d. 3, q. 1 (ed. Wadding, XI, 43).

³² litterae/sic M.

³³ opinionem/omnino add. B.

³⁴ sit/erit B.

³⁵ Scotus, *Metaph.*, IV, q. 1, n. 2 (ed. Wadding, IV, 575).

³⁶ quando/quantum M.

³⁷ eis/ei B.

³⁸ Scotus, *Metaph.*, IV, q. 1, n. 2 (ed. Wadding, IV, 575).

³⁹ conceptum/oppositum B.

⁴⁰ Scotus, *Metaph.*, IV, q. 1, n. 2 (ed. Wadding, IV, 575).

⁴¹ Aristot., *Metaph.*, III, t. 10 (998b 22—27).

⁴² conceptu/intellectu B.

⁴³ Scotus, *Metaph.*, IV, q. 1, n. 2 (ed. Wadding, IV, 575).

⁴⁴ Aristot., *Anal. Poster.*, I, cap. 11 (77a 9).

dicitur "in aequivocis non cadit demonstratio". Sed de subiecto sunt demonstrationes, ut patet ex eodem I.⁴⁵ Patet igitur maior. Sed ens in quantum ens est primum subiectum metaphysicae, quae est scientia formaliter una. Igitur ens secundum se erit formaliter unum. Minor probatur, quod ens sit subiectum eius primum, quia hoc expresse dicit Avicenna, I *Metaphysicae* suae, capitulo 3,⁴⁶ quod ens in quantum ens est eius subiectum. Et Aristoteles, IV *Metaphysicae*:⁴⁷ una est scientia, quae specialiter. Patet igitur minor quantum ad ambas partes, quod metaphysica sit una et eius subiectum sit ens; et per consequens quod eius subiectum sit⁴⁸ formaliter unum.

Item,⁴⁹ quae sunt prima ad intelligendum respectu intellectus nostri sunt communissima, quia communia prius intelligimus, secundum Philosophum, I *Physicorum*,⁵⁰ et Avicennam, I *Metaphysicae* suae, cap. 6.⁵¹ Sed non est procedere in infinitum in intelligibilibus intelligendo hoc ante illud. Sic enim numquam aliquid intelligeremus si intellectus dependeret ex infinitis. Ergo est stare in aliquo uno communissimo quod est unum et simpliciter primum intelligibile. Sed nullum est tale nisi ens, quia ipsum est communissimum. Ergo ens est univocum habens unum conceptum communem.

Item,⁵² unius potentiae unum est obiectum⁵³ primum et proprium, quia potentia movetur ab obiecto secundum formam obiecti; et nisi habeat unam formam non movebitur. Et si intellectus non intelligit unum, nihil intelligit, IV *Metaphysicae*.⁵⁴ Sed primum et formale obiectum intellectus nostri est ens ut commune omnibus. Igitur ens est formaliter unum habens unum conceptum. Maior probatur, quia potentiae distinguuntur⁵⁵ per obiecta. Igitur distinctae potentiae est distinctum formale obiectum et unius potentiae unum. Minor similiter patet,⁵⁶ quia illud est primum obiectum potentiae cognitivae sub cuius ratione cognoscuntur omnia ab illa potentia, sicut patet de obiecto visus. Sed nec ratio substantiae nec ratio accidentis reperitur in omnibus intelligibilibus. Quare ens erit illud, cum ipsum solum reperiatur in omnibus.

⁴⁵ Aristot., *Anal. Poster.*, I, cap. 28 (87a 38—87b 4).

⁴⁶ Avicenna, *Metaph.*, I, cap. 2 (ed. Venetiis, 1508, f. 70vb).

⁴⁷ Aristot., *Metaph.*, IV, t. 1 (1003a 19—21).

⁴⁸ sit/unum dictum seu *add.* B.

⁴⁹ Scotus, *Metaph.*, IV, q. 1, n. 5 (ed. Wadding, IV, 575).

⁵⁰ Aristot., *Physica*, I, t. 1 (184a 22—25).

⁵¹ Avicenna, *Metaph.*, I, cap. 5 (ed. Venetiis, 1508, f. 72rb).

⁵² Scotus, *Metaph.*, IV, q. 1, n. 5 (ed. Wadding, IV, 576).

⁵³ obiectum/subiectum B.

⁵⁴ Aristot., *Metaph.*, IV, t. 10 (1006b 8).

⁵⁵ distinguuntur/differunt M.

⁵⁶ patet *om.* B.

Item,⁵⁷ quod ens habet conceptum unum commune Deo et caeteris omnibus probo sic: omnis intellectus certus de uno conceptu et dubius de duobus vel de utroque eorum habet aliquem conceptum commune de quo est certus alium a conceptibus dubiis. Causa praedicati includitur in subiecto, aliter de eodem simul esset certus et dubius. Sed intellectus creatus habet conceptum certum de ente, dubitando tamen utrum ille conceptus sit entis creati vel increati. Igitur praeter conceptum dubium entis creati vel increati habet unum conceptum entis simpliciter commune univocum utrique. Et minor probatur, quia de facto fuit controversia inter philosophos antiquos de primo principio entium. Quidam enim posuerunt amicitiam, quidam litem, quidam ignem etc. Sed tamen nullus dubitavit, immo certus fuit quod illud quod posuerit primum principium fuit ens, et ita habuit certum conceptum de ente et tamen quilibet dubitavit quod fuit illud primum⁵⁸ principium. Aliter Empedocles, ponens quattuor elementa cum lite et amicitia esse primum, certus fuisset,⁵⁹ et ita habuit certitudinem de impossibili et scivisset impossibile, quod falsum est. Potest ergo haberi certus conceptus de ente absolute, dubitando an sit entis creati vel increati. Et ille conceptus erit unus,⁶⁰ alius ab illis dubiis et communis erit ipsis univoce.

Ad istud diceret aliquis⁶¹ quod intellectus non habet conceptum entis tamquam de quo est⁶² certus sed tamquam duos qui propter illorum approximationem analogicam et approximantem convenientiam videntur esse unus.

Contra:⁶³ impossibile est concipere aliqua quae habent analogiam et ordinem ad invicem nisi prius natura cognoscam illa duo ut distincta. Si ergo ens conceptum de Deo et creatura haberet duos conceptus habentes ordinem et analogiam, oporteret et quod prius cognoscam Deum in se et creaturam in se, et per consequens prius cognoscam quod iste conceptus non est ille quam quod ille attribuitur alteri, quia prius est unum aliquid in se quam in cognitione qua alteri attribuitur. Maior probatur, quia sicut habentium ordinem essentialem et realem in re, unum realiter praesupponit aliud, ita habentium ordinem in cognitione, unum in illo ordine praesupponit aliud.⁶⁴

⁵⁷ Scotus, *Lectura* I, d. 3, p. 1, qq. 1—2, nn. 22—23 (ed. Vaticana, XVI, 232—233).

⁵⁸ primum *om.* B.

⁵⁹ Aristot., *Metaph.*, I, cap. 4 (985a 3—6).

⁶⁰ unus/conceptus *add.* B.

⁶¹ Henr. Gand., *Summa*, art. 21, q. 2 (I, ed. Parisiis 1520, ff. 124vO—124rS).

⁶² est/conceptus *add.* B.

⁶³ Scotus, *Reportat. Paris.*, I, d. 3, q. 1, n. 5 (ed. Wadding, XI, 43).

⁶⁴ ita . . . aliud *om.* (*hom.*) B.

Item,⁶⁵ si Deus non haberet aliquem conceptum unum communem univocum, nihil omnino cognosceremus de Deo in via. Consequens est falsum, quia nisi cognosceremus Deum, non diligeremus ipsum nec⁶⁶ mereremur, quia non diligitur nisi cognitum, secundum Augustinum, IX *De Trinitate*, capitulo ultimo.⁶⁷ Probatio consequentiae:⁶⁸ quia nullius conceptum alterius a se potest intellectus noster possibilis facere in seipso nisi moveatur ab obiecto alio a se praesente sibi, quia obiectum aliud a se necessario⁶⁹ concurrit ad conceptum formandum cuiuslibet alterius a se, cum sit de se sicut tabula nuda, secundum Philosophum, III *De anima*.⁷⁰ Et Augustinus, IX *De Trinitate*, capitulo ultimo:⁷¹ ab utroque paritur notitia, scilicet cognoscente et cognito. Quia igitur ad hoc quod intellectus possibilis <cognoscat> aliud a se, oportet quod moveatur ab alio. Motivum autem intellectus nostri possibilis pro statu⁷² praesenti non est nec potest esse de lege communi nisi intellectus agens et phantasma. Sed nullum obiectum relucens in phantasmate vel specie intelligibili umquam ducit intellectum nostrum in cognitionem Dei nisi sit conceptus creatus univocus Deo et creaturis. Quare necesse est ponere conceptum univocum vel oportet ponere quod nullam cognitionem habemus de Deo nisi Deus ex speciali gratia velit se imprimere in intellectu immediate. Probatio minoris: quodlibet obiectum relucens in phantasmate vel specie intelligibili habet conceptum sibi adaequatum secundum ultimum potentiae suae in quo relucet ipsum et ea quae essentialiter intelliguntur in eo, cum sit movens pure naturale. Igitur non potest alium conceptum facere in intellectu nostro ipsius Dei nisi per discursum ab illo apprehenso ad conceptum Dei. Sed omnis discursus praesupponit cognitionem simplicem illius ad quod discurrit, aliter discurreret ad omnino ignotum. Sed conceptus Dei simpliciter non fuit in intellectu nostro ante discursum, cum conceptus eius sit posterius. Igitur nihil cognosceremus de Deo nisi haberet conceptum communem cum creatura.

Item,⁷² ostenditur eadem minor sic: nullum obiectum facit conceptum alterius obiecti in intellectu nisi includat illud obiectum formaliter sicut inferius suum superius, vel virtualiter sicut subiectum suam passionem,

⁶⁵ Scotus, *Lectura*, I, d. 3, p. 1, qq. 1—2, nn. 25—28 (ed. Vaticana, XVI 233—235).

⁶⁶ nec/ipsum *add.* B.

⁶⁷ August., *De Trinit.*, IX, c. 12, n. 18 (PL 42, 971—972).

⁶⁸ Probatio consequentiae/Probo conclusionem M.

⁶⁹ necessario *om.* M.

⁷⁰ Aristot., *De anima*, III, t. 14 (429b 30—430a 2).

⁷¹ August., *De Trinit.*, IX, c. 12, n. 18 (PL 42, 970).

⁷² Scotus, *Lectura*, I, d. 3, p. 1, qq. 1—2, nn. 28 (ed. Vaticana, XVI, 235).

et accidentia includunt subiectum sicut effectus adaequatus suam causam, nisi conceptus utriusque sit univocus. Sed bonitas Dei, sapientia, vel virtus eius ut ipsius propria est non includitur essentialiter in creatura ut in lapide, nec virtualiter, eo quod eius bonitas est simpliciter perfecta, infinita et illimitata, bonitas <creaturae> limitata et imperfecta. Igitur nullum obiectum quod nos cognoscimus faciet aliquem conceptum in nobis de Deo vel notitiam aliquam, quia impossibile est quodcumque obiectum facere in intellectu nostro conceptum perfectiorem suo proprio conceptu quidditativo, sicut impossibile est⁷³ quodcumque ens facere aliquod ens nobilius eo et praecise⁷⁴ sicut tota causa eius, quia causa aequivoca naturaliter agens non potest effectum producere perfectiorem proprio effectui sibi simillimo et suae virtuti adaequato. Cum igitur obiectum sit causa aequivoca respectu proprii conceptus quidditativi, non potest conceptum perfectiorem alterius obiecti in intellectu nostro gignere, cuiusmodi foret distinctus conceptus Dei.

Confirmatur,⁷⁵ quia conceptus proprius creaturae et conceptus proprius Dei non minus differunt quam proprius⁷⁶ conceptus duorum individuorum in eadem specie. Sed ex conceptu unius individui non potest deveniri in conceptum proprium alterius individui. Igitur nec ex conceptu creaturae in conceptum proprium Dei, sed tantum in communem conceptum⁷⁷ sibi et creaturis.

Item,⁷⁸ visio Dei secundum aliquem certum gradum et finitum⁷⁹ distat a conceptu illo proprio de Deo quam tu ponereres gigni in intellectu nostro a conceptu creato, cum visio sit causa et actus finitus in perfectione. Si igitur albedo potest facere in intellectu nostro conceptum proprium de Deo sicut alia causa a nobis cognoscibilis naturaliter, qui⁸⁰ conceptus tantum distat ab albedine in perfectione entis sicut distat visio Dei a conceptu proprio illo de Deo qui habetur, et imprimatur ex albedine in intellectu nostro, igitur illa creatura imprimeret intellectui nostro visionem Dei, quod est impossibile, quia tunc naturaliter esset homo beatus.

Item,⁸¹ omnes theologi sic docent nos venire in cognitionem Dei: quod accipiunt conceptus metaphysicales de perfectionibus creaturarum

⁷³ Scotus, *Reportat. Paris.*, I, d. 3, q. 1, n. 6 (ed. Wadding, XI, 43).

⁷⁴ praecise/pure B.

⁷⁵ Scotus, *Reportat. Paris.*, I, d. 3, q. 1, n. 5 (ed. Wadding, XI, 43).

⁷⁶ proprius/proprii B.

⁷⁷ conceptum interl. M, om. B.

⁷⁸ Scotus, *Reportat. Paris.*, I, d. 3, q. 1, n. 7 (ed. Wadding, XI, 43).

⁷⁹ et finitum/in finitum B

⁸⁰ qui/quibus B.

⁸¹ Scotus, *Lectura*, I, d. 1, p. 1, qq. 1—2, nn. 29—30 (ed. Vaticana, XVI, 235—236).

et illas attribuunt Deo, remotis imperfectionibus illarum perfectionem, ut bonitatem, veritatem, sapientiam et huiusmodi. Tunc sic: omnis inquisitio investigans cognitionem alicuius per illud quod perfectionis est in alio relinquendo et tollendo quod est imperfectionis, capit aliquid quod est eiusdem rationis ei cui attribuitur et ei a quo abstrahitur, quia si non accipit aliquid unius rationis, ut sapientiam creaturae,⁸² relinquendo illud quod imperfectionis est et attribuendo illud idem Deo, cuius notitiam investigando in conceptu, non magis cognosceret sapientiam esse in Deo quam lapidem, quia diceret quod in Deo est alius conceptus quam sit conceptus⁸³ lapidis hic, cui attribuitur conceptus lapidis, ut hic accipitur, sicut tu diceret quod alius est conceptus sapientiae Dei a conceptu sapientiae creaturae cui attribuitur conceptus seu sapientia creaturae amota imperfectione. Si enim accipiendo sapientiam aliquam hominis amota huiusmodi⁸⁴ imperfectione, non attribuendo istam eandem formaliter Deo sed aliam, nullo modo veniet conceptus illius in intellectu meo, et ideo non plus concipio Deum esse sapientem quam concipio ipsum esse lapidem.

Hoc confirmatur⁸⁵ auctoritate Augustini, VIII *De Trinitate*, cap. 8 'De parvis',⁸⁶ ubi enumerat multa bona imperfecta. Dicit: "bonum hoc et bonum illud, tolle hoc et illud et vide ipsum bonum si potes; ita Deum videbis, bonum omnis boni". Sed si conceptus boni quod sic abstrahitur et in quo Deus videtur sit alius conceptus a bono imperfecto, non magis tollendo hoc bonum et illud videbitur bonum omnis boni — bonum simpliciter — quam tollendo terram et lapidem videbitur ipse Deus.

Item,⁸⁷ de ente potest formari unus conceptus simpliciter; ergo est terminus univocus simpliciter. Consequentia patet. Antecedens probatur, quia sicut se habet prima dignitas in complexis sic ens in incomplexis,⁸⁸ quia sicut omnia complexa resolvuntur in primam dignitatem quae est 'de quolibet esse vel non-esse', sic omnia incomplexa resolvuntur in ens. Sed de prima dignitate formatur unus conceptus complexus. Igitur de ente potest formari unus conceptus incomplexus et simplex. Dicendum: antecedens est falsum. Et quando probatur per simile de prima dignitate quod de ipsa formatur unus conceptus complexus, non est verum. Prima enim dignitas non dicit unum conceptum complexum simpliciter sicut nec ens dicit unum conceptum simplicem. Cum enim prima dignitas

⁸² creaturae/esse in Deo B.

⁸³ quam . . . conceptus om. B.

⁸⁴ huiusmodi om. B.

⁸⁵ Scotus, *Lectura*, I, d. 3, p. 1, qq. 1—2, n. 31 (ed. Vaticana, XVI, 236).

⁸⁶ August., *De Trinit.*, VIII, c. 3, n. 4 (PL 42, 949).

⁸⁷ Scotus, *Metaph.*, IV, q. 1, n. 2 (ed. Wadding, IV, 575).

⁸⁸ in incomplexis/non complexis B.

componitur ex terminis multipliciter dictis, est propositio multiplex et distinguenda, sicut illa in qua ponitur nomen aequivocum, potest tamen prima dignitas habere conceptum aliquo modo unum, quia habet conceptum complexum unum unitate ordinis et habitudinis. Et hoc est habere unitatem secundum quid et multitudinem simpliciter, sicut ens habet unum⁸⁹ conceptum simplicem secundum ordinem, et ita secundum quid sed plures simpliciter, ideo simpliciter loquendo est terminus aequivocus quamvis ordo concipitur in significatis; tamen ut nomine entis significantur non ordinantur ad invicem sed ita primo significantur ac si ordinem non haberent.

Sed contra illud: relatio et reductio plurium in unum, ubicumque fieri debet ad aliquid quod est simpliciter unum. Quare cum complexa omnia resolvantur et reducantur in primam dignitatem, omnia autem incomplexa in ens, videtur quod prima dignitas dicat conceptum unum complexum et ens conceptum unum⁹⁰ incomplexum.

〈CONTRA OPINIONEM AVICENNAE ET SCOTI〉

Contra istam opinionem arguo sic: quandocumque aliqua plura conveniant in aliquo communi univoco, in quantum in illo conveniunt aequaliter convenit eis nomen et ratio rei significatae per nomen, et in ratione rei significatae per nomen aequalia sunt, sicut ratio numeri omnibus numeris⁹¹ aequaliter convenit, quamvis secundum rem in speciali unus numerus sit alio prior, ut duo tribus et tria quattuor, tamen ratio numeri aequaliter eis convenit. Sic ratio animalis omnibus inferioribus in quantum animalia sunt, quamvis possit esse analogia inter animalia in speciali in quantum hoc animal est homo et illud leo etc., tamen rationem animalitatis aequaliter includunt. Si igitur ens et verum et bonum univoce dicuntur de Deo et creatura, ut tu dicis, sequitur quod Deus et creatura parificantur in ratione entitatis, bonitatis et veritatis. Hoc autem simpliciter impossibile 〈est〉, quod Deus et homo parificentur in sapientia, bonitate et entitate. Tunc enim sapientia hominis esset sapientia per essentiam et entitas esset entitas per essentiam, et sic de aliis, quod est erroneum dicere. Dico⁹² quod non parificantur in re significata nomine entis sed in nomine. Contra: si solum nomine, et ratio rei sit diversa; igitur nomen est aequivocum. Dico⁹³ quod non nomine rei absolute parificantur sed in intentione illius nominis. Contra: oppositum

⁸⁹ sicut . . . unum/sic habet B.

⁹⁰ complexum . . . unum *om.* (*hom.*) B.

⁹¹ omnibus numeris/eis B.

⁹² Dico/Dicit B.

⁹³ Dico/Dicit B.

video in omnibus habentibus aliquid commune univocum, quod rationem rei significatae per nomen, in quantum illa ratione conveniunt, univoce et aequae perfecte participant, quamvis aliquando possit esse diversitas, ut in exemplis supradictis, et ita creaturae aequae perfecte conveniret actus essendi et aequae perfecte⁹⁴ et intense conveniret lapidi sicut et Deo, et sic de ratione sapientiae et aliorum.

Item, ad principale: si ens est univocum, tunc sic: quaecumque⁹⁵ sunt diversa inter se et in aliquo uno conveniunt, necessario differunt secundum se sub illo communi, sicut homo et asinus sub animali. Si igitur Deus et creatura communicarent in communi ratione actus essendi, cum non secundum idem formaliter conveniant et differant, in Deo duplex est esse: unum in quo cum creatura convenit, aliud etiam in quo a creatura differet; et tunc non esset esse Dei omnino simplex, nec esset esse primum.

Sed dicis forte quod maior vera est de illo communi quod non dicit totum esse inferiorum. Nunc autem ens non dicit partem perfectionis eorum quae uniuntur in ipso sed totam perfectionem cuiuslibet; ideo nulla differentia potest sibi addi extra cuius intellectum sit, et ideo se totis conveniunt in actu essendi qui dicit totam perfectionem eorum et se totis differunt, sicut duo individua sub specie se totis conveniunt specie et differunt numero, eo quod species dicit totum esse individuum, et ideo individuum nihil addit supra speciem quo differat ab alio individuo, ut sic in aliquo conveniat et in aliquo differat; sed se totis conveniunt specie et differunt numero. Sic est de ente respectu aliorum quod dicit totam perfectionem aliorum, ideo se totis conveniunt⁹⁶ cum ente et differunt inter se.

Contra: quandocumque aliquod nomen dicit perfectionem totam plurium secundum propriam rationem singulorum, si propriae rationes singulorum sint alterius rationis, nomen conveniet eis aequivoce. Exemplum de hoc nomine 'canis' qui significat propriam rationem canis latrabilis et marinae belluae et coelestis sideris, ideo nomen significans ista sub propriis rationibus aequivoce significat ea. Si ergo ens dicit totam perfectionem cuiuslibet entis sub propriis rationibus singulorum et non communem tantum sub qua per proprias rationes differunt, ens significat illa aequivoce necessario, cum propriae rationes entium inter se sint formaliter alterius rationis. Vel igitur significat tantum unam communem rationem omnibus sub qua entia differunt per speciales

⁹⁴ conveniret . . . perfecte *om.* (*hom.*) B.

⁹⁵ quaecumque/quantumcumque M.

⁹⁶ conveniunt/communicant M.

rationes additas, et stat ratio principalis; vel si significat proprias rationes⁹⁷ singulorum et totum significabit⁹⁸ aequivoce, et ita solum nomen commune erit. Et quod dicis quod species specialissima significat totum esse⁹⁹ individuorum, verum est: totum esse specificum; sed si significaret totum esse individuale cuiuslibet sub propriis rationibus individuorum¹, cum ratio individualis unius sit alterius rationis a ratione individuali alterius individui, aequivoce conveniret eis 'individuale' necessario; sicut hoc nomen 'Petrus' aequivoce convenit huic individuo hominis et illi, quod non esset verum nisi propriae rationes illorum essent alterius rationis.

Item, sapientia non dicit totum esse et perfectionem hominis.

Item, si ens dicit totam perfectionem et esse suorum contentorum, tunc unitur² Deus secundum totum quod est cum creatura, quia ens significat totum et in ente uniuntur; igitur et in toto sui uniuntur.

Item, si sic³ ens sit de per se intellectu cuiuslibet compositi, quia significat⁴ substantiam cuiuslibet, IV *Metaphysicae*,⁵ tunc in definitione cuiuslibet speciei esset vera nugatio. Consequens est impossibile apud Philosophum in VII;⁶ igitur et antecedens. Probatio consequentiae:⁷ si conceptus animalis univocus per se clauderetur in conceptu rationalis, dicendo 'animal rationale' esset vera nugatio, quia idem conceptus bis inutiliter exprimeretur. Sed quia in eo non clauditur, quamvis sint per identitatem idem in homine, ideo non est nugatio. Sed si ens haberet conceptum unum de se, cum iste formaliter claudatur in propria ratione cuiuslibet, quia ens est de intellectu cuiuslibet, sequitur universaliter quod nugatio esset in omni⁸ definitione, quia idem conceptus entis bis poneretur: semel in genere et iterum in differentia. Et similiter esset nugatio quandocumque aliquid adderetur enti, dicendo 'ens bonum' vel 'ens homo', quae omnia sunt inconvenientia.

Sed dico, ad vitandum nugationem in definitionibus et etiam quando aliquid additur enti, quod quamvis ens dicit conceptum unum univocum Deo et creatura,⁹ substantiae et accidenti, et claudatur in ratione et

⁹⁷ proprias rationes/propriam rationem M.

⁹⁸ significabit/ea add. M.

⁹⁹ esse/individuale cuiuslibet sub propriis rationibus add. B.

¹ sed . . . individuorum om. B.

² unitur/vel B.

³ sic/substantia cum B.

⁴ significat intrat M.

⁵ Aristot., *Metaph.*, IV, t. 2 (1003b 11—14).

⁶ Aristot., *Metaph.*, VII, t. 13 (1030a 6—11).

⁷ Probatio consequentiae/Probo consequentiam M.

⁸ ens . . . omni om. B.

⁹ creatura/tunc B.

intellectu cuiuslibet, non tamen clauditur in formali ratione differentiae, ut vitetur nugatio in definitionibus, nec etiam clauditur in per se intellectu alicuius denominativi additi enti, ut cum dicitur 'ens bonum',¹⁰ 'ens unum', 'ens album'. Ideo non est ibi nugatio; tamen si aliquid absolute addatur enti, dicendo 'ens homo', 'ens lapis', concedunt hic nugationem esse. Et ponunt exemplum ad¹¹ hoc quomodo aliquid potest esse de per se intellectu alicuius si absolute sumatur, non tamen ut concipitur ut denominatum alterius, sicut in albedine absolute sumpta clauditur formaliter color, ut vere dicitur 'albedo est color' praedicatione formali; non tamen in albo denominative vel concretive sumpto, quamvis sit idem per identitatem utrobique.

Contra utrumque illorum simul unica ratione sic:¹² unaquaeque res positiva,¹³ qualitercumque positive sumatur, habet ex sua propria ratione formali quod distinguatur a non-ente, et per consequens quod in sua propria ratione formali includat ipsum ens ei oppositum, aliter ex sua formali ratione non haberet unde distinguatur a non-ente, nec quantum ad formalem rationem sui posset magis dicere quod sit ens quam non-ens. Cum igitur tale denominativum quodcumque positivum sit res positiva aliqua, sequitur quod ens per se clauditur in per se ratione utriusque; et ita stat ratio principalis.

Item, tunc ens posset descendere in haec inferiora per differentias, extra quarum intellectum primum esset ipsum ens, et ita esset genus ad haec inferiora. Nec valet instantia de colore et albo et ente transcendente, nam transcendens simpliciter extra nullius intellectum esse potest, secundum Philosophum,¹⁴ nec sic color est transcendens, et ideo non est simile.

Item, si ens esset univocum decem generibus primis, nulla genera prima essent primo diversa, ita quod substantia et quantitas non essent primo diversa sed solum differentia, nam V *Metaphysicae* dicit Philosophus¹⁵ quod differentia sunt quae sunt diversa aliquid idem entia. Si igitur substantia et quantitas convenirent univoce in ente, essent differentia et non diversa, et tunc nulla sunt primo diversa, quia transcendentia sicut ens, bonum et verum non sunt primo diversa. Nec valet dicere quod sint primo diversa quia non habent unum genus. Possunt tamen habere conceptum in ente quod est communis, nam diversitas et

¹⁰ bonum/verum B.

¹¹ ad/ex B.

¹² sic om. B.

¹³ positiva/unica B.

¹⁴ Aristot., *Metaph.*, III, t. 10 (998b 22—27).

¹⁵ Aristot., *Metaph.*, V, t. 16 (1018a 12).

identitas per se opponuntur. Prima igitur diversitas realis excludit omnem identitatem realem, quia in genere est maxime tale. Igitur prima diversitas est maxima diversitas; igitur nullam identitatem realem permittit, et per consequens nullam unitatem realem. Unitas igitur duorum generum in ente non est unitas vel identitas realis, sed nominis tantum.

Et si dicas quod duae differentiae ultimae essent primo diversae, quia in illis non clauditur ens per se, ita quod praedicetur de eis in quid: hoc improbatum est prius quantum ad causam, quia ens est de per se intellectu cuiuslibet rei positivae. Quia tamen non habent conceptum unum univocum, bene concedo quod sunt primo diversa. Sed hoc est propter oppositam causam, scilicet quia conveniunt in aliquo subiecto uno conceptu univoco.

Item, si sic, non esset negativa immediata, qua negatur unum genus generalissimum ab alio. Consequens falsum, ex I *Posteriorum*.¹⁶ Probatio consequentiae, quia extrema essent in aliquo toto, scilicet in ente univoco, sicut hic 'homo non est albus', quod non debet esse quando est immediate negativa.

Item, si sic, genera prima essent species definibiles et ens esset genus. Consequens falsum, igitur et antecedens. Probatio consequentiae: omne illud quod habet in suo per se intellectu aliquid materiale et aliquid formale seu determinabile et determinans potest proprie definiri per aliqua duo exprimentia illos conceptus. Sed retenta hypothese quodlibet decem generum est huiusmodi, quia habet in se conceptum entis communem sibi et aliis, determinabilem per aliquod formale ad hoc genus entis, puta substantiae, quantitatis; igitur quodlibet genus est per se definibile per commune et illud formale additum; et ita genera erunt species, et ens genus. Nec valet dicere quod ens dicit totum esse proprium cuiuslibet generis et contenti sub ratione cuiuslibet, quia tunc esset aequivocum, quod esset propositum, ut superius patuit.

Item, quod nihil sit commune univocum Deo et creaturae probo, quia si sic, aliquo communi nomine univoco unirentur. Consequens falsum; igitur antecedens. Probatio falsitatis consequentis, secundum Lincolniensem super Dionysium *De divinis nominibus*, cap. 1, parte 7:¹⁷ "Blasphemum est velle¹⁸ nominare et laudare ipsum Deum per aliquod nomen quantumcumque excelsae significationis. Sed cum nominatur etiam aliqua rei excellentissimae nominatione, non insinuat

¹⁶ Aristot., *Anal. Poster.*, I, c. 28 (87a 37—38).

¹⁷ Ps.-Dionysius, *De divinis nominibus*, cap. 1, parte 7 (cod. Vat. Chigi A. V. 129, f. 89ra).

¹⁸ velle om. B.

quod ipse thearcha, id est Deus sit illud quod ex nomine significatur, sed quod ipse est ab omni huiusmodi superexcellenter segregatus et superelevatus". Haec ille. Igitur nec ens nec aliquod nomen aliud significat secundum eandem rationem¹⁹ Deum et creaturam, immo necessario aequivoce.

Item, si ens dicit univocum conceptum omnibus entibus, aut ille conceptus est realis, habens pro fundamento proximo aliquid reale, aut est conceptus logicus, habens pro fundamento aliquid intentionale²⁰ tantum. Si primo modo, quaero de re significata: aut est naturalis, quod non potest esse, quia multa sunt entia separata simpliciter quae sub ratione philosophi naturalis non cadunt. Igitur est res metaphysica. Sed hoc est falsum, quia multae sunt naturae quae non cadunt sub consideratione metaphysici.

Item, res metaphysicalis pure analogice dicitur de consideratis in metaphysica, secundum quod expresse dicit Philosophus²¹ et Commentator,²² IV *Metaphysicae* in principio: quia ens multis modis dicitur sed ad unum et ad unam naturam aliquam, et non est ibi aequivoce sed quemadmodum salubre commune ad sanitatem. Et cito post: ens multipliciter dicitur sed esse ad unum principium. Cum igitur conceptus realis, sed²³ verus, sic debeat sequi condicionem rei, sequitur quod conceptus entis sit conceptus vere analogus, et per consequens plures conceptus, attributi tamen ad unum, sicut res sunt plures et attributae uni rei. Dicis: ego possum solvere conceptum a tali attributione ferendo²⁴ conceptum meum absolute super ens ut distinguitur contra nihil; contra: tu dicis quod ens dicit totum esse substantiae et quantitatis etc., et per nihil additum descendit in eis; igitur intelligendo ens, tu intelligis totum esse proprium cuiuslibet entis, et ita conceptus iste non erit unus nisi unitate aggregationis, proprium plurium conceptuum distinctorum.

Si conceptus iste est logicus tantum, tunc nihil reale²⁵ ei substernitur, quia logicus considerat intentiones secundas. Et sic nihil ad propositum quaestionis,²⁶ quia non quaeritur de intentionibus secundis utrum aliqua possit esse communis sed de re et conceptu reali. Theologus autem²⁷

¹⁹ rationem/rem B.

²⁰ intentionale/intentionis B.

²¹ Aristot., *Metaph.*, IV, t. 2 (1003a 33).

²² Averroes, *In Aristot. Metaph.*, IV, com. 2 (ed. Iuntina, VIII, Venetiis 1552, f. 31rb).

²³ sed/si B.

²⁴ ferendo/habendo B.

²⁵ reale om. B.

²⁶ quaestionis/propositam conclusionem B.

²⁷ autem/non B.

debet loqui realiter de conceptu rei non de intentionibus secundis. Sed dicit: logicus non considerat intentiones secundas sed primas, applicabiles cum secundis; contra: tunc ratione primi subiecti et principalis logica esset scientia realis sicut metaphysica.

Item, tunc quantum ad principale subiectum et praedicatum non differret a metaphysica quae est de rebus abstractis, quia aut est per se et primo de rebus aut de intentionibus secundis, aut de toto aggregato ex re et intentione. Si de intentionibus secundis, habetur propositum. Si de rebus, non differt in subiecto a metaphysica, nec est rationalis sed realis. Si de utroque simul, igitur subiectum erit unum per accidens, et sicut subiectum est ens per accidens, ita scientia erit scientia per accidens.

Item, expresse dicit Avicenna²⁸ quod subiectum logicae est intentio secunda, V *Metaphysicae* suae, cap. 2 sic: "Subiectum vero logicae, sicut scisti, sunt intentiones intellectae secundo quae apponuntur intentionibus primo intellectis".

Item ad principale. Primo per auctoritates philosophicas: VII *Metaphysicae*, cap. 3:²⁹ ens existit in omnibus sed non simpliciter, quia neque aequivoce neque eodem modo, sed quemadmodum medicinale de medicina³⁰ et corpore et actione medicantis et vase dicitur nec aequivoce nec secundum unum sed ad unum". Ibi dicit Commentator, commento 15³¹ super illud 'Oportet igitur ut latitudo sermonis' etc.: "Hoc nomen ens non dicitur de eis, scilicet, decem praedicamentis, aequivoce neque univoce, quia hoc nomen 'ens' dicitur de accidentibus, sicut dicitur 'corpus medicinale' et 'actio medicinalis', quoniam cum dicimus³² 'herba medicinalis' et 'instrumentum medicinale' attribuitur medicinae, sed non est intentio medicinae in instrumento sicut in herba, quoniam, si ita esset, sermo in eis ipsa medicinalia esset, sicut sermo in rebus multis vivis ipsa esse animalia". Vult dicere quod si medicinale secundum eandem rationem esset in eis, essent ita univoce medicinalia sicut multa viva sunt univoce animalia, quod falsum est. Et subdit: "Dicere unum-quodque praedicamentorum esse <eo quod> ens derivatur ab esse, sed esse non secundum eandem intentionem est in unoquoque eorum". Multa igitur ibi de hac materia.

²⁸ Avicenna, *Metaph.*, I, cap. 2 (ed. Venetiis, 1508, f. 70va).

²⁹ Aristot., *Metaph.*, VII, t. 15 (1030a 34—b 3).

³⁰ medicina/medicativo B.

³¹ Averroes, *In Aristot. Metaph.*, VII, com. 15 (ed. Iuntina, VIII, Venetiis, 1552, f. 78ra).

³² quoniam . . . dicimus/et M.

Item, Commentator VIII *Metaphysicae*, commento 5:³³ Si aliquid esset in aliquo substantia et in aliquo accidens, tunc diceretur aequivoce sicut hoc nomen 'ens' de substantia et accidente. Hic vult Commentator quod dicitur aequivoce de substantia et accidente,³⁴ supra quod nec univoce nec aequivoce, sed de substantia primo et de aliis in ordine et attributione ad substantiam".

Similiter, Commentator, VII *Metaphysicae*, commento 14, ubi Philosophus declaravit definitionem esse in omni praedicamento sicut ens, dicit Commentator:³⁵ "Definitio dicitur multipliciter, non³⁶ aequivoce. Definitio enim dicitur multis modis secundum numerum eorum quae dicuntur in interrogatione ad quid est. Sicut enim convenit quaerere quid est substantia ita convenit quaerere quid est qualitas et quid est quantitas".

Item, Avicenna, I *Metaphysicae*, cap. 6:³⁷ "Res vel quid³⁸ vel aliquid vel illud, et haec sunt nomina multivoca". Et sequitur: "Ens significat³⁹ multas⁴⁰ intentiones ex quibus est certitudo qua est unaquaeque res". Quid planius quam quod ens sit nomen multivocum et significat multas intentiones? Si significat multas intentiones⁴¹ impossibile est quod sit univocum sed potius aequivocum.

Item, Lincolniensis, *Super Angelicam Hierarchiam*, parte V cap. 3:⁴² "Nihil positive⁴³ dictum potest de creatura et creatore univoce dici".

Item, Boethius, in prologo *Super Porphyrium*,⁴⁴ loquens de praedicamentis, dicit: "Omnem necesse est multitudinem rerum per horum decem generum specie inveniri". Et parum post dicit: "Sed non eorum communis est una substantia vel natura, sed tantum nomen". Et super capitulum 'De specie' dicit sic:⁴⁵ "Ens, etsi de omnibus dicitur praedicamentis, quoniam tamen nulla eius definitio inveniri potest quae omnibus

³³ Averroes, *In Aristot. Metaph.*, VIII, com. 5 (ed. Iuntina, VIII, Venetiis, 1552, f. 100va).

³⁴ Hoc . . . accidente *om. (hom.)* B.

³⁵ Averroes, *In Aristot. Metaph.*, VII, com. 14 (ed. Iuntina, VIII, Venetiis, 1552, f. 17v).

³⁶ non/nam M.

³⁷ Avicenna, *Metaph.*, I, cap. 6 (ed. Venetiis, 1508, f. 72va).

³⁸ quid vel *om.* M.

³⁹ Et . . . significat/Hoc et infra parum enim ens B.

⁴⁰ multas *om.* B.

⁴¹ Si . . . intentiones *om. (hom.)* M.

⁴² Robertus Grossatesta, *Super angelicam hierarchiam*, p. V, cap. 3 (cod. Vat. Chigi A. V. 129, f. 219vb).

⁴³ positive/ex positivis B.

⁴⁴ Boethius, *Super Porphyrium*, Prol. (PL 64, 75).

⁴⁵ Boethius, *Super Porphyrium*, cap. 'De specie' (PL 64, 109).

praedicamentis possit aptari, idcirco non dicitur univoce sed aequivoce ut vox plura significans”.

<OPINIO TENENTIUM ENS ESSE ANALOGUM⁴⁶>

Alia opinio est quae ponit quod ens dicitur analogice de omnibus praedicamentis, innitentes Philosopho, IV *Metaphysicae*⁴⁷ et VII,⁴⁸ sicut superius est allegatum, quod ens neque dicitur univoce nec aequivoce, non secundum unum sed ad unum exemplo sani, ut patet supra.⁴⁹

Item, Commentator, IV *Metaphysicae*, cap. 2:⁵⁰ “Hoc nomen ens non est aequivocum: si enim esset aequivocum non consideraret de eo una ars. Ens dicitur multis modis, et non aequivoce sicut canis de latrabili et marino, neque univoce ut animal ab homine et ab asino, sed de omnibus quae dicuntur de nominibus attributis eidem et sunt media inter univoca et aequivoca”.

<CONTRA OPINIONEM TENENTIUM ENS ESSE ANALOGUM>

Contra opinionem istam: quod ens non dicitur quantum ex vi nominis significantis analogice de omnibus entibus. Probo, nam analogia non est nisi duobus modis: aut ita quod ratio nominis est eadem et una omnium de quibus dicitur, per prius tamen inveniatur in uno illorum quam in alio; aut alio modo, scilicet quod diversa sit ratio unius et alterius, tamen rationes illorum duorum sunt ad invicem comparatae.⁵¹ Et pluribus modis non potest imaginari analogia.

Et primo ostendo quod ens non dicitur analogice de substantia et accidentibus et multo minus de Deo et creatura secundum modum primum analogiae; et secundo⁵² ostendam secundum modum analogiae non impedire aequivocationem formaliter. Primum patet, quia secundum Boethium supra et Lincolniensem patet quod nulla definitio sive ratio eadem convenit substantiae et accidenti. Hoc dicit Boethius supra. Nihil positivum dicitur de Deo et creatura: hoc dicit Lincolniensis. Si hoc, statim sequitur quod nihil dictum analogice secundum primum modum analogiae dicitur de omnibus nec etiam de substantia et accidente, sicut supra probatum est.

⁴⁶ For a list of authors who endorse this opinion see: B. M. Xiberta, “Guiu Terrena i Sant Tomas sobre l’analogia de l’èsser” in *Criterion* (Barcelona) VI (1930), 11–34.

⁴⁷ Aristot., *Metaph.*, IV, t. 2 (1003a 33–1003b 12).

⁴⁸ Aristot., *Metaph.*, VII, t. 1 (1028a 10).

⁴⁹ Supra, p. 22 ss.

⁵⁰ Averroes, *In Aristot. Metaph.*, IV, com. 2 (ed. Iuntina, VIII, Venetiis, 1552, f. 31rb).

⁵¹ comparatae om. B.

⁵² secundo/ideo B.

Contra secundum modum ponendi analogiam arguitur sic: licet in essendo accidentia habeant attributionem ad substantiam sicut ad primum suum subiectum et substantia creata et omnes creaturae attributionem habeant in essendo et dependentiam accidentalem ad primam causam sicut ad primum efficiens⁵³ et ultimum finem, tamen ens in suo significato istam attributionem accidentium ad substantiam et omnium creaturarum ad Deum non exprimit. Licet igitur in essendo sic dependeant et attributionem habeant, ut tamen significantur nomine entis nullam ad invicem habent analogiam, id est nulla⁵⁴ exprimitur nomine entis significantis illa nec scitur⁵⁵ significatum termini nisi ex hoc quod exprimit in significando. Potest igitur formari ratio talis: Quandocumque aliquod nomen significat plura alterius rationis absque omni comparatione et attributione inclusa in nominis significatione, illud nomen quantum est de se non significat analogice; sed ens in significando plura nullam attributionem exprimit seu comparationem in suo significato; igitur non⁵⁶ significat ea analogice. Unde licet attributionem habeant, istam tamen non significat ens.

Item, ad idem sic: omne quod primo intelligitur aut intelligitur per rationem unam aut per plures. Non est dare medium, nam omne quod evenit apud intellectum venit per unam rationem solum vel sub una ratione vel sub pluribus. Si sub una ratione, est univocum; si sub pluribus est aequivocum, ut patet per definitionem aequivocorum. Sed non pluribus modis potest significari quam intelligi. Si igitur omne quod intelligitur intelligitur modo univoco vel aequivoco, necessarium⁵⁷ est quod omne quod significatur significetur univoce vel aequivoce, ita quod inter istos modos significandi non sit medium. Nulla igitur vox significat analogice. Unde quamvis attributio et dependentia sit in rebus, tamen illam non exprimit vox, ut patet, quia sanum non habet attributionem aliquam plurium ad unum.

Item ad idem: nam qui ponit ens significare ea aequivoce, et ita ponendo analogiam hoc modo, ponit aequivocationem. Probo, nam omne attributum alteri in quantum attributionem habet ad illud non est ipsum ad quod attribuitur, quia si⁵⁸ sic, non magis unum attribueretur alteri quam e converso. Si igitur ens significet substantiam et accidens sub ratione sub qua attribuitur substantiae, cum propriae rationes

⁵³ efficiens/effectivum B.

⁵⁴ nulla/ratione *add.* B.

⁵⁵ scitur/dicuntur B.

⁵⁶ non *om.* B.

⁵⁷ necessarium/intellectum B.

⁵⁸ si/significet substantiam *add.* B.

horum significatorum ut significata sunt nomine entis sint diversae et alterius rationis, concludis tibi ipsi quod vox significans ista significet ea aequivoce. Si igitur detur quod ens significet substantiam sub ratione sub qua est illud ad quod attribuitur accidens et accidens similiter sub ratione sub⁵⁹ qua attribuitur substantiae, et istae rationes ut sic sint penitus diversae, ens significabit ea aequivoce; et sic ponendo analogiam ponis aequivocationem.

Item, terminus simplex et communissimus, cuiusmodi est ens, non significat primo relationem aliquam seu habitudinem, cum non sit terminus relativus. Si igitur de primo significato non includit ordinem et attributionem, de primo significato significabit aliquid unum, et ita univoce; vel aequae primo plura, et ita aequivoce; et ita omnis terminus significat primo univoce vel aequivoce, quamvis analogia aliquando sit inter illa in re quae aequae primo⁶⁰ significantur nomine termini, ex quo excluditur⁶¹ aequivocatio secundum proprium modum. Cum enim ordo rerum in significando non offertur intellectui nisi per aliquem terminum, et terminus simplex et absolutus, cuiusmodi est ens primum, ex significato non se offert, sequitur quod in significando et offerendo significatum aequae primo offert illa quae termino significantur, alioquin non ex vi significati primo offerret Deum. Et sic per ordinem, secundum quod res habent ordinem in perfectione essendi, cum semper uniformiter offerat suum significatum, sicut accipit significatum,⁶² offerret, nec posset intellectus ex vi termini offerentis devenire in significationem secundariam⁶³ nisi prius fuerit in actu respectu Dei et abstractorum, et ita sicut prius in perfectione aliqua sunt et prius significantur, ita prius intelliguntur prioritatem ordinis et executionis.

〈OPINIO PROPRIA〉

Ad quaestionem dico quod sic nec ens nec aliquid positivum dicitur de causa efficiente prima et aliis entibus univoce, nec etiam de substantia et accidente, sed aequivoce, aequivocatione tamen imperfecta. Ad cuius evidentiam notandum et considerandum est quod ipsius aequivocationis quaedam sunt condiciones materiales, quaedam autem formales, sicut etiam videmus in rebus naturalibus quasdam condiciones formales et quasdam materiales. Unde viri et mulieris condiciones

⁵⁹ sub *interl.* M, *om.* B.

⁶⁰ primo/plura *add.* B.

⁶¹ excluditur/quod *add.* B, *add. sed. del.* M.

⁶² significatum/ut M.

⁶³ secundariam/secundum nomen B.

formales sunt eadem, secundum Philosophum X *Metaphysicae*;⁶⁴ differunt tamen in condicionibus materialibus. Et quia mulier non habet condiciones hominis materiales perfectas, ideo materialiter non est perfecte homo, quamvis formaliter sit perfecte homo, quia habet perfecte condiciones formales. Sic puer habens sex digitos vel tantum quatuor materialiter loquendo est homo imperfectus et tamen formaliter est homo perfectus. Sic de aequivocatione loquendum est, nam condiciones formales aequivocationis sunt quod "solum nomen sit commune et ratio substantiae diversa".⁶⁵ Habet tamen aliquas condiciones materiales, quarum una est quod significata termini aequivoci non habent comparisonem ad invicem in essendo. Possunt tamen attributionem habere in essendo vel non habere, quae est alia materialis condicio. Et hae sunt materiales condiciones termini aequivoci. Et licet aequivoca in essendo habeant attributionem ad invicem, dummodo ista non significantur ipso nomine, stat formalis ratio aequivocationis perfecta; sed deficit condicio perfecta materialis. Et si non habeant attributionem ad invicem in essendo, tunc stat perfecta ratio formalis aequivocationis et etiam materialis. Habere enim ad invicem attributionem ponit quandam imperfectionem materialem in aequivocatione, sicut nasci cum sex digitis ponit condicionem materialem imperfectam, sed non tollit formalem rationem perfectam hominis.

His praemissis dicendum quod ens significat Deum et alia, substantiam et accidens, penitus aequivoce quantum ad formalem rationem aequivocationis, quia significat propriam rationem cuiuslibet statim. Et quia propria⁶⁶ formalis cuiuslibet est alterius rationis ab alia, ens significabit illa formaliter aequivoce. Quia tamen illa significata nomine entis habent attributionem in essendo, deficiunt a condicione materiali vera aequivocorum. Quod autem accidentia habent attributionem ad substantiam patet ex auctoritatibus Philosophi supra;⁶⁷ nec tamen est mens Philosophi quod ens significat istam attributionem, sed quod talis attributio plurium ad unum sufficit ad unitatem scientiae. Huic opinioni plane assentit Boethius,⁶⁸ et Commentator super VII *Metaphysicae*.⁶⁹ et Lincolniensis.⁷⁰

⁶⁴ Aristot., *Metaph.*, X, t. 23 (1058a 29—1058b 8).

⁶⁵ Aristot., *Praedicamenta*, c. I (1a 1—2).

⁶⁶ propria om. B.

⁶⁷ Supra, p. 22.

⁶⁸ Boethius, *In Categorias Aristot.*, I (PL 64, 166B).

⁶⁹ Averroes, *In Aristot. Metaph.*, VII, com. 15 (ed. Iuntina, VIII, Venetiis 1552, f. 100va).

⁷⁰ Robertus Grossatesta, *De divinis nominibus*, cap. 5, p. 5 (cod. Vat. Chigi A. V. 129, f. 103vb).

Ad auctoritates Philosophi et Commentatoris⁷¹ quae dicunt ens dici de omnibus nec univoce nec aequivoce, respondeo quod verum est nec univoce nec aequivoce, sed quantum ad totam rationem aequivocationis materialem; sed tamen quantum ad formalem dicitur pure aequivoce.

<AD ARGUMENTA PRINCIPALIA>

Ad primum principale ordine quo fiebat: Cum arguitur quod "si non diceretur aliquid univoce etc., tunc Deus nihil aliud⁷² a se cognosceret, quia cognitio est per assimilationem," respondeo quod assimilatio rei ad rem, sive convenientia, maxime in forma attenditur. Et hoc dupliciter, secundum quod est duplex modus communicandi in forma: una secundum eandem rationem, quae dicitur convenientia similitudinis, et est eorum quae⁷³ unam formam participant secundum rem, ut duo alba participant albedinem et duo homines humanitatem; et haec convenientia in forma facit univocationem. Et talis similitudo et convenientia non est Dei ad creaturam nec substantiae ad accidens. Alia est convenientia in forma,⁷⁴ secundum alium modum formae, quae dicitur convenientia imitationis; et talis convenientia est universaliter inter causam et effectum, agens et actum, quia universaliter⁷⁵ in effectu relucet aliqua similitudo imitationis effectus ad causam, quamvis non secundum eandem rationem formae unius, ut hominis geniti ad generantem.

Tunc ad argumentum dico quod ista secunda convenientia et similitudo imitationis sufficit ad cognitionem, scilicet quod cognitum imitetur formam cognoscentis. Unde quamvis Deus et creatura non convenient⁷⁶ in aliqua reali convenientia formae significatae nomine entis, conveniunt tamen in ente convenientia imitationis formae ad formam. Hanc tamen imitationem formae ad formam, quae sit simpliciter alterius rationis, nomen entis non exprimit, ideo aequivoce significat formam imitabilem et imitantem, quamvis analogia sit in re. Unde Deus cognoscit alia a se magis secundum eminentiam et excessum qua excedit alia quam secundum aliquid in quo convenit cum illis, nisi loquendo de convenientia modo secundo, quae dicitur convenientia proportionalitatis, ut scilicet sicut imitatur haec creatura Deum. De hoc Thomas *De Veritate*, q. 2,

⁷¹ Supra, p. 25.

⁷² aliud *om.* M.

⁷³ dicitur . . . quae *om.* (*hom.*) B.

⁷⁴ facit . . . forma *om.* (*hom.*) B.

⁷⁵ universaliter/uniformiter B.

⁷⁶ convenient/communicant B.

art. 11 in pede,⁷⁷ et Henricus in *Summa*, q. 21, art. 2 in pede.⁷⁸ Vel dico quod proportio⁷⁹ illa habet intelligi de cognoscente qui accipit cognitionem a rebus, qui non potest habere rei praesentiam nisi⁸⁰ per formam rei receptam, cuiusmodi cognoscens non est Deus.

Ad secundum quod perfectiones creaturarum sunt in Deo non secundum eandem rationem qua sunt in creatura sed secundum aliam rationem omnino, et secundum excessum in infinitum, et non secundum similitudinem aliquam in forma reali una; et ideo aequivoce sunt ibi et in creatura quantum ad formalem rationem aequivocationis. Unde dico quod Deus cognoscendo virtutem suam qua perfecte continet creaturam, sicut effectum, perfecte cognoscit quamcumque creaturam, non per assimilationem formalem eiusdem rationis sed per continentiam virtualement. Unde sicut sol producit calidum, nec unitur cum eo in forma caloris, et si esset agens per intellectum cognosceret calidum; nec ex hoc quod esset natura intellectualis esset magis formaliter calidus quam nunc, ita in proposito.

Ad tertium, cum dicitur quod "ens et non-ens contradicunt, et contradictio non est in aequivocis" etc., dico quod ens non ponit aliquid reale univocum entibus sed tot quot sunt omnia entia, et ideo praedicatur aequivoce. Et quando dicis quod "in aequivocis non est contradictio", dicendum quod verum est, nisi determinatur sensus specialis unde non contradicunt ens et non-ens. Et quando arguis⁸¹ quod Philosophus reducit Parmenidem ad hoc inconueniens quod ens esset non ens, quod non esset inconueniens si ens esset aequivocum, respondeo quod quando aliquis arguit contra aliquem, oportet accipere aliquid consequens ad suum dictum. Modo, sustinenti omnia esse unum, consequens est dicere quod ens est univocum, et quod hoc sequitur contra Parmenidem quod ens et non-ens contradicunt. Sed istud non videtur solvere quod "*ibidem* dicit Philosophus, quod principium contraponentes omnia esse unum, est accipere quod ens dicitur multipliciter. Si ipsi intelligerent quod ens diceretur univoce seu simpliciter, tunc peteret Philosophus <supponendo> contra eos oppositum dicti eorum non probatum, scilicet quod ens dicitur multipliciter".⁸² Respondeo

⁷⁷ Thomas Aquinas, *De veritate*, q. 2, art. 11 (ed. Parmae, 1859; II, 43—44).

⁷⁸ Henr. Gand., *Summa*, art. 21, q. 2 (I, ed. Parisiis 1520, ff. 124vO—125rS).

⁷⁹ proportio/propositio B.

⁸⁰ nisi/nec B.

⁸¹ Scotus, *Metaph.*, IV, q. 1, n. 1 (ed. Wadding, IV, 574).

⁸² Scotus, *ibidem*.

quod Parmenides concessit in hoc antecedente quod 'omnia sunt unum' ens dici univoce, ideo Philosophus accipit oppositum consequentis, scilicet quod ens dicitur multipliciter, tamquam aliquid notius illo quo dicitur omnia esse unum, et hoc non est petere sed probare. Notius enim est simpliciter ens dici multipliciter quam omnia esse unum, et ideo non accipit nisi notius, ut probet oppositum sui dicti quod est ens dici multipliciter; quod est oppositum conclusionis huius quod ens est univocum, quod sequitur ad omnia esse unum. Sed forte argues quod tunc uteretur oppositis in ratione sua: accipit enim oppositum consequentis, quod ens dicitur multipliciter; et conclusio sua est quod 'ens non est ens', quod non est inconveniens nisi ens diceretur univoce. Igitur ratio eius supponit duo opposita. Respondeo quod numquam potest inferri negatio eiusdem de se nisi accipiantur praecise oppositae ad concludendum illud.

Ad aliud, quod est confirmatio praecedentis rationis, cum dicitur hic est contradictio 'aliquid est' et 'nihil est', dico quod non nisi distinctione facta, utendo re pro substantia vel aliquo genere determinato, quia secundum Avicennam supra, ens et aliquid sunt nomina multipliciter dicta. Hoc dicit Philosophus frequenter de ente. Et si arguis quod tunc numquam erit contradictio dicendo aliquis et nullus, possibile et impossibile, quia aliquis non potest habere conceptum simpliciorum quam aliquid, respondeo quod aliquis-nullus, possibile et impossibile et talia, cum sumantur categorice, sunt nomina secundae intentionis et possunt esse eiusdem rationis quibuscumque addantur. Nec est aequivocatio ex parte eorum. Sed si sit aequivocatio, hoc erit ex parte⁸³ rerum determinatarum. Et ideo quando per se ponuntur bene est contradictio, dicendo aliquid et nihil, aliquis et nullus, vel si addantur terminis univocis, ut aliquis homo currit. Sed si addantur terminis aequivocis, non est contradictio dicendo aliquid ens et nullum ens, aliquis canis — nullus canis, nisi facta distinctione.

Ad aliud, quod consequentia non valet 'substantia, igitur ens', nisi ens distinguitur. Quod probatur, quia aut ens accipitur pro substantia et tunc non est consequentia, quia in⁸⁴ consequentia est ordo, aut pro quantitate vel aliis et tunc falsa est illatio.

Ad aliud, quod potentia et posse est aequivocum ad res secundae intentionis et primae; et si accipiat ut significat rem primae intentionis, sic est aequivocum sicut⁸⁵ ens. Si accipitur pro re secundae intentionis,

⁸³ rationis (*p. 30, lin. 12*) . . . parte *om.* B.

⁸⁴ in/ista B.

⁸⁵ sicut/ad B.

sic potest esse univocum et contradictio est posse⁸⁶ et non-posse.⁸⁷ Unde bene potest aliquid secundae intentionis esse univocum in omnibus praedicamentis, ut intentio generis vel speciei, licet res primae intentionis non.

Ad aliud, quod comparatio proprie dicta non est in ente, quia semper est eadem forma univoce participata a pluribus comparatis in ea.⁸⁸ Talis non est in ente. Sed comparatio secundum ens non est nisi secundum comparisonem qua aliquid dependet ab alio <in> essendo, ut accidens a substantia et omnia creata a Deo, ita quod est comparatio in imitatione, non in forma aliqua univoce⁸⁹ participata, et quantum ad materiale rationem aequivocationis qua aequivoca non dicuntur ad invicem dependere; et sic⁹⁰ ens deficit⁹¹ ab aequivoco, ut patet in pede quaestionis. Dicit tamen Philosophus VIII *Ethicorum* c. I,⁹² quod recipiunt magis et minus altera specie. Sed hoc est secundo modo comparisonis praedictae.

Ad aliud, de principiis sempiternorum, dico quod est comparatio in imitatione, non in aliqua forma reali univoca. Aliter dicitur quod principia et principiata sunt aequivoca sicut ens, ideo in eodem genere habent entitatem univocam sicut veritatem, aliter non, nam sicut ens⁹³ ponitur⁹⁴ in quolibet genere aequivoce, ita principia et principiata.

<AD ARGUMENTA IN OPPOSITUM>

Sic ad primum in oppositum dico quod Dei ad creaturam nulla est similitudo in forma reali. Similitudo tamen proportionalitatis et imitationis bene est ibi et stat cum aequivocatione formaliter dicta.

Secundum in oppositum est pro me.

<AD OPINIONEM AVICENNAE ET SCOTI>

Ad primum pro opinione prima, quando dicit Avicenna quod ens dicit intentionem unam, potest dici quod habet intelligi de intentione vocis; vel si intelligit de intentione significati, debet intelligi de intentione proportionalitatis vel imitationis⁹⁵ quae significata habent in essendo,

⁸⁶ posse/possibile B.

⁸⁷ non-posse/non-possibile B.

⁸⁸ ea/certis temporibus *add.* B.

⁸⁹ univoce/univoca B.

⁹⁰ sic/dependens *add.* B.

⁹¹ deficit/dependet B.

⁹² Aristot., *Ethica Nicom.*, VIII, cap. I (1155b 14—15).

⁹³ ens/non *add.* B.

⁹⁴ ponitur/reperitur B.

⁹⁵ imitationis/imitabilitatis B.

non quam ens exprimit significando. Et quod dicit Avicenna quod ens est quasi genus et substantia et qualitas etc. quasi species, respondeo quod non dicit quod est genus sed quod est commune eis, et illa sunt quasi species eius, et hoc pro tanto⁹⁶ quia descendit in illa sicut nomen aequivocum in significata in aliquo⁹⁷ ordine. Ad maiorem posset dici quod verum est si conveniat eis univoce. Sic non est hic, sed sicut aequivocae sunt,⁹⁸ ita aequivocae praedicantur.

Ad secundum, cum arguitur quod "passio communis pluribus convenit eis per naturam unius cui illud competit primo", dico quod hoc potest intelligi dupliciter: vel per naturam unius univoce⁹⁹ in omnibus per praedicationem; vel per naturam unius cui omnia attribuuntur, cuiusmodi est substantia, cui primo convenit praedicari in quid sicut esse respectu accidentium convenit accidentibus per naturam substantiae cui attribuuntur. Unde dico quod ens non habet proprie rationem praedicati communis, quia non est commune univocum; aliter haberemus sex universalis praedicabilia. Unde dicendo 'homo est ens' vel 'substantia est ens' non praedicatur superius de¹ inferiori sed idem de se, quamvis idem sub ratione prima in ipso, scilicet ente, praedicetur de se² ipso accepto sub ratione non aequae prima. Ratio enim entis est prima ratio cuiuslibet rei, et ideo non potest contrahi. Unde dicendo 'ens homo' vel 'ens album' est nugatio vel repugnantia intellectus, quia ens significat aequae primo omnia genera. Et est idem dicere quod substantia est idem quod significatur nomine entis, sicut dicendo animal latrabile est canis, nec est praedicatio superioris de inferiori sed idem est dicere ac si diceretur latrabile animal est idem quod significatur nomine canis, ita quod nec praedicatur superius de inferiori nec solum nomen³ de se, sed idem de se.⁴ Aliter potest dici ad argumentum quod eadem intentio praedicandi in quid potest esse communis omnibus, quamvis sibi non correspondeat conceptus realis minus communis omnibus.

Ad aliud, quod ens est de intellectu cuiuslibet, non ratione alicuius unius formae significatae sed ratione plurium, quia secundum unum significatum est de intellectu huius et secundum aliud de intellectu illius.

⁹⁶ tanto/quaeritur et hoc pro tanto *add.* B.

⁹⁷ aliquo/genere vel *add.* B.

⁹⁸ aequivocae sunt/est aequivocae B.

⁹⁹ univoce/univoci B.

¹ de/suo *add.* B.

² quamvis . . . se *om* (*hom.*) B.

³ nomen/dicendum *add.* B.

⁴ sed . . . se *mg.* M.

Ad aliud, quod ens non est subiectum metaphysicae. Ad Avicennam quando dicit quod ens in quantum ens est subiectum. ly in quantum non tenetur reduplicative, et per consequens non⁵ est distincte alicuius unius quod tantum significatur nomine entis, sed tenetur specificative,⁶ scilicet quod ens secundum entitatem suam est ibi subiectum, et hoc verum est de aliquo ente speciali, sicut in quaestione sequenti patebit.⁷ Vel si accipias omnino ens quantum ad totum quod dicit, tunc significata entis sunt sicut plura simpliciter et unum secundum quid unitate attributionis, sicut metaphysica est plures scientiae simpliciter et una secundum quid, scilicet unitate ordinis seu proportionis.

Ad aliud, cum dicitur quod communissima sunt prima ad intelligendum, igitur oportet stare in aliquo communissimo primo, respondeo quod communissima sunt prima ad intelligendum sub hoc sensu quod unumquodque⁸ intellectum a nobis pro statu isto prius⁹ intelligitur confuse quam¹⁰ distincte, ita quod prius sub ratione entitatis suae quam alterius rationis, non tamen sic quod aliquid unum confusum indistinctum per praedicationem de omnibus intelligibilibus sit primo intellectum, quia nullum est tale. Si tamen velis loqui de prioritate perfectionis ad quam alia attribuuntur, sic substantia est primum intelligibile.

Ad aliud, cum dicitur quod unius potentiae est unum obiectum formale primum, respondeo quod si intelligis unum communitate¹¹ praedicationis univocae, falsum est, sicut patet in visu, quia nihil potest poni commune univocum per praedicationem ad colorem, magnitudinem, et motum et figuram et alia visibilia. Si intelligis de prioritate perfectionis, sic substantia est primum intellectum omnium. Aliter tamen dicitur quod unius potentiae formaliter et virtualiter est unum obiectum formale, sed non intellectus, <quia> quamvis sit virtualiter una potentia, est tamen formaliter totum ens cognitive; ideo non habet aliquod obiectum unum primum quod sit ratio intelligendi omnia alia et inclusum in per se intellectu cuiuslibet, ut procedit argumentum, sed quod primo et perfectius movet sensum primo movet intellectum. Unde intellectus est virtualiter omnis potentia apprehensiva, modo tamen intellectuali. Et si arguatur quod potentia habet unitatem ex una ratione formali

⁵ non/nec B.

⁶ specificative/specialiter B.

⁷ Robertus Cowton, *In I Sent.*, Prol., q. 5 (ed. H. Theissing, *Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters*, Bd. XLII, Heft 3, 1969), 283—296).

⁸ unumquodque/secundum add. B.

⁹ prius/natura add. B.

¹⁰ quam/et B.

¹¹ communitate/commune B.

obiectiva, respondeo quod verum est: non intrinsece sed solum respectu potentiae quae est unius generis entis, non respectu potentiae quae est¹² respectu cuiuslibet entis; sed ista potentia magis arguitur una ex uno modo ferendi se in obiecta. Talis est intellectus et voluntas quae respiciunt totum ens et quamlibet rationem entis, quae omnia non possunt habere unum commune univocum. Et ideo nullum est primum obiectum commune unum per praedicationem de omnibus. Istud oportet dare tamquam per se consequens. Ad opinionem, quod ens non est unum aliquid in omnibus.

Ad septimum argumentum concessa maiore, nego minorem. Nunquam potest aliquis vere concipere ens quin aliquem intellectum habeat aut Dei aut creaturae, nec potest habere conceptum simplicem communem Deo et creaturae praeter conceptum utriusque, quia nihil est tale quod sic vere concipi posset nisi conceptus nominis tantum. Sic enim posses capere canem, non concipiendo aliquid eius significatum. Et ideo qui sic concipit aliquid commune, conceptum erroneum habet, non potens distinguere in conceptu suo multipliciter entis; et ideo concipit plura ut unum. Ad minorem quando probas quod sic, quia ponens primum principium esse amicitiam certus fuit quod concepit¹³ ens sed dubius fuit an illud fuit primum principium, respondeo quod sicut fuit certus quod concepit ens, ita certus fuit quod concepit aliquid ens determinatum, puta amicitiam, ita quod conceptus primus quem habuit ibi erat conceptus amicitiae; sed dubitavit an conceptus amicitiae esset primum principium, ita quod non erat dubius an conceptus eius esset conceptus determinatus amicitiae; et ideo non habuit conceptum communem praeter conceptum amicitiae et praeter conceptum primi principii, ut tu accipis, sed conceptum amicitiae determinatum habuit et certus fuit quod amicitiam intellexit. Sed in applicatione illius conceptus ad primum principium entium erravit et non fuit certus sed deceptus putando illud quod determinate intellexit esse principium primum, sicut si ego intelligendo lapidem vel lignum, putarem illud esse Deum et causam primam omnium, ex hoc non sequeretur quod haberem aliquem conceptum communem per praedicationem Deo et creaturae qui¹⁴ nec esset conceptus huius nec illius. Immo habeo conceptum determinatum lapidis et non solum certus sum me intelligere ens¹⁵ sed hoc ens lapidem. Sed de conceptu complexo dubito an illud

¹² unius . . . est *om.* (*hom.*) B

¹³ concepit/concipit B.

¹⁴ qui/ista B.

¹⁵ ens/esse B.

determinatum conceptum sit prima causa, vel si adhaereo, erro sicut fuit de eis. Unde impossibile est quod aliquis habeat conceptum abstractum univocum et realem communem Deo et creaturae vel substantiae vel accidenti qui nec fuit conceptus unius¹⁶ vel alterius. Sed quicumque dicit hoc experiri, errat ex defectu intellectus sui, non potens¹⁷ distinguere inter ea quae distincta sunt, et ideo concipit plura ut unum quae¹⁸ tamen in rei veritate non faciunt unum conceptum. De hoc pulchre Henricus, art. 21, q. 2¹⁹ ad tertium argumentum principale.

Ad octavum, cum dicitur²⁰ quod si non sit conceptus unus communis Deo et creaturae nihil cognosceremus de Deo in via, nego consequentiam. Ad probationem cum probas quod nullum obiectum creatum facit in nobis conceptum Dei nisi habeat conceptum univocum cum Deo, quia quodlibet tale habet conceptum adaequatum sibi secundum ultimum, cum sit causa naturalis movens secundum ultimum²¹ potentiae suae, respondeo quod habere conceptum adaequatum potest esse dupliciter: vel²² in essendo vel in representando. Primo modo verum est; secundo modo falsum est. Unde sive ponatur quod substantia faciat propriam speciem in intellectu sive non, hoc tamen verum est: per speciem accidentis proprii potest intellectus noster devenire in cognitionem substantiae. Nec aliqua species accidentis est sic adaequata accidenti quod nihil aliud representat quam accidens cuius est species, quamvis enim ipsum repraesentat directe tamen mediante specie accidentis potest arguitive ex effectu devenire non solum in causam proximam, scilicet in primum accidens, sed etiam in causam remotam, scilicet substantiam. Cum igitur Deus sit causa cuiuslibet effectus creati agentis, non solum potest intellectus devenire mediante conceptu rei creatae in cognitionem agentis proximi sed etiam in cognitionem Dei. Et ideo quamvis conceptus sit adaequatus causae proximae in perfectione entis, ut non possit conceptum perfectiorem causare, non tamen in ratione medii cognoscendi, ut nullius posset esse ratio cognoscendi nisi unius tantum, quia certum²³ est quod mediante conceptu lapidis possum devenire in conceptum actus intelligendi potentiae intellectivae ipsius animae, secundum sententiam Philosophi III *De anima*.²⁴ Hoc est enim de

¹⁶ conceptus/unus seu *add.* B.

¹⁷ potens/potentis B.

¹⁸ quae *om.* B.

¹⁹ Henr. Gand., *Summa*, art. 21, q. 2 (I, ed. Parisiis, 1520, ff. 124vO—125rS).

²⁰ dicitur/arguitur B.

²¹ cum . . . ultimum *om.* (*hom.*) B.

²² vel *om.* B.

²³ certum/argutum B.

²⁴ Aristot., *De anima*, III, t. 38 (431b 21—29).

ratione illius cuius cognitionem habeo per discursum, quod sit alterius rationis ab illo a quo discuro. Si enim esset eiusdem rationis cum illo, sicut intelligo primum sine discursu, simplici intuitu, sic intelligerem secundum, ut²⁵ patet de obiecto, et actu et potentia, substantia et accidente, quae sunt alterius rationis secundum rationes proprias. Et quando arguitur ultra quod non devenio in conceptum Dei ex conceptu creaturae nisi per discursum, conceditur. Et quando ultra accipis quod omnis discursus²⁶ praesupponit notitiam simplicem eius ad quod discurret, si intelligas de notitia actuali,²⁷ falsum est. Sed ipsum discurrere seu comparatio huius ad hoc est cognoscere illud ex alio, puta Deum ex creatura seu actum per obiectum seu potentiam²⁸ per actum, quam potentiam prius non novi; nec praesupponitur necessario actualis cognitio simpliciter illius ad quod fit discursus ante discursum. Tunc enim intellectus statim prima apprehensione simplici priori quo primo intelligit²⁹ actu intelligeret se, quod falsum est. Nunquam enim intelligetur sine discursu, maxime primo, nec³⁰ etiam sciet visum quod Deus est ens primum, pro eo quod non est in infinitum procedere, et per alia media nota naturaliter intellectui per quae intellectus ratiocinando hoc concludit. Unde falsum³¹ simpliciter supponunt dicentes quod non potest homo naturaliter cognoscere de Deo aliquid nisi per illud in quo univoce convenit cum creatura, scilicet quod sit ens, unum et bonum etc. Possum enim ex illa demonstrare Deum esse actu infinitum intensive, et hoc ipsi dicunt se demonstrare alibi, et tamen in conceptu infinitatis intensivae non convenit creatura cum Deo; immo infinitas intensiva simpliciter repugnat creaturae.

Ad aliam probationem minoris, cum arguitur quod nullum obiectum faciet conceptum alterius obiecti nisi ipsum includat formaliter etc., respondeo quod si argumentum valet ex forma, concludit contra eos, quia cum conceptus ille proprius creaturae sit quid³² imperfectum, limitatum, participatum nunquam faciet conceptum Dei in nobis, et ita nunquam cognoscemus Deum.

Ad argumentum dico quod conceptus creaturae, sive obiectum creatum, continet conceptum Dei virtualiter, non tamen sic quod contineat aliquid virtualiter quod in Deo est, sed conceptum quem nos

²⁵ ut *om.* B.

²⁶ conceditur . . . discursus *om.* B.

²⁷ actuali/accidentali M.

²⁸ potentiam/formam B.

²⁹ intelligit/venit B.

³⁰ nec/tunc B.

³¹ falsum/sit *add.* B.

³² quid/istud B.

habemus de Deo, et sicut conceptus creaturae seu creatura accepta est aliquid imperfectum respectu Dei, ita conceptus quem nos habemus de Deo per creaturam est conceptus imperfectus respectu conceptus quem Deus habet de se et quem beati habent. Nec est hoc aliquod inconueniens quod obiectum creatum virtualiter contineat³³ conceptum quem nos habemus de Deo, quamvis nihil quod in Deo est virtualiter contineat. Verumtamen non pono, sicut implicat argumentum, quod obiectum sit tota causa conceptus proprii, nec etiam conceptus quem nos habemus de Deo, sed ipsa potentia intellectiva multum ad hoc facit, id est ad concipiendum Deum ex creaturis, ut obiectum solum non sit tota causa.

Ad aliud quod arguitur quod intellectus ex conceptu unius individui etc., non potest devenire in conceptum alterius, respondeo: hoc accipitur³⁴ sed non probatur. Diceret enim aliquis, et experitur, quod <a> conceptu unius individui potest discurrendo devenire in conceptum alterius; vel si non, consequentia non valet, quia cogniti per discursum unius ab alio est cognitio prioris per cognitionem posterioris in cognoscendo 'quia'; e contrario in cognoscendo quid 'propter quid'. Et talis potest esse in illis quae sic in esse et perfectione ordinantur. Sed in individuis eiusdem speciei, in eo quod talia et secundum esse proprium, non est prius et post. Et ideo ibi non est talis discursus in cognoscendo unum per aliud, inter Deum et creaturam est, quare etc.

Ad aliud Lincolniensis, quia visio Dei necessario praesupponit praesentiam Dei in se, unde apud intellectum, ideo sicut nulla causa quantumcumque³⁵ perfecta potest causare ipsius praesentiam nec istius visionem, sed tamen conceptus creaturae cum intellectu causare cognitionem aliquam propriam Dei, quae repugnat omni creaturae.

Ad aliud, cum accipitur quod omnis inquisitio etc., dico quod maior universaliter sumpta est falsa, quia non est aliqua perfectio eiusdem rationis in Deo et in creatura communis communitate univocationis Deo et creaturae, ut quod aliquid commune ambobus abstractum ab ipsis significetur aliquo nomine, scilicet entis vel sapientiae vel alicuius huiusmodi nominis, ut intelligendo hoc ens quod est sapientia hominis vel angeli et hoc ens quod est sapientia Dei dimittam hoc et hoc et intelligam communem Deo et creaturae, sicut cum intelligo hunc hominem Sortem et hunc Platonem dimitto hunc et hunc et intelligo hominem simpliciter. Hoc enim potest fieri hic, non ibi, quia hic est secundum naturam una forma participata ab ambobus et determinata

³³ contineat/continuat B.

³⁴ accipitur/hic add. B.

³⁵ quantumcumque/quandocumque B.

in eis, et ideo potest talis forma in eis abstrahi ut essentialis similitudo eorum; non autem ibi, quia non est una forma naturalis existens in creatura et Creatore ab ambobus participata et etiam determinata in eis per aliqua determinata. Hoc enim erroneum esset dicere quod Deus aliquam formam participaret. Et quando tu probas quod nisi esset, aliter non magis attribuerem Deo sapientiam quam lapidem, dico quod sic, quia quamvis sapientia Dei et sapientia hominis non sint eiusdem rationis, ita quod convenient in aliqua una forma reali et abstrahibili ab eis, sed sint sapientiae aequivoce, tamen est aliqua convenientia, puta convenientia imitationis. Verius enim et perfectius imitatur Deum sapientia quam lapidem,³⁶ et ita eorum conformitas, scilicet imitationis, est eorum communitas, et ideo attribuimus sapientiam Deo formaliter et³⁷ non lapidem, pro eo quod esse lapidis formaliter³⁸ est esse ens corporeum, imperfectum, limitatum etc.; esse autem sapientem, ibi idem est esse sapiens et esse, est simpliciter perfectionis, qualis perfectio in creatura non reperitur. Et quando ultra infers, quomodo igitur veniet conceptus sapientiae Dei in intellectum nostrum, respondeo quod ex hoc: concipio sapientiam in creaturis, quae est quaedam imitatio sapientiae divinae; intelligo hominem verum, cuius imitatio est homo pictus, et tamen³⁹ homo pictus et homo verus non sunt univoce homo, sic nec sapientia Dei et creaturae, et tamen sapientia creaturae ducit in cognitionem sapientiae Dei, quamvis imperfecte.

Ad Augustinum patet quod, si bene intelligitur, auctoritas est ad oppositum, quia docet⁴⁰ tollere hoc bonum particulare et illud cum velimus Deum intelligere et summum bonum, et non docet attribuere bonum in creatura ipsi Deo, tamquam forma aliqua participata univoca quae utrique conveniret. Hoc enim, ut supra dictum est, habet virtualiter a se, cum conceptu imperfecto sapientiae creaturae vel bonitatis, quod possit conceptum perfectum Dei in se formare, perfectum dico secundum statum viae.

Ad ultimum dicendum quod aliter loquendum est de reductione quae fit in rebus et aliter de illa quae fit in terminis et rationibus. Illud enim ad quod ultimo fit reductio in rebus est quod simpliciter et maxime unum, ut Deus. Sed in rationibus et in⁴¹ terminis non sic: genus⁴² enim

³⁶ lapidem/lapis B.

³⁷ et *om.* B.

³⁸ formaliter *om.* B.

³⁹ tamen *om.* B.

⁴⁰ docet/ducet B.

⁴¹ in *om.* B.

⁴² genus/gradus B.

in quod species reducuntur est minus unum quam species. Similiter ens ad quod omnes termini reducuntur minus est unum quam genus. In huiusmodi enim reductione non attenditur maior unitas; sed maior ambitus et communitas, ubi talis communitas est maxima, sicut in ente, ibi minima unitas et maxima diversitas. Et ideo nullam unitatem ens habet in significando, sed significat primo plura et tantum habet unitatem vocis.

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PETRUS IOANNIS OLIVI AND THE PHILOSOPHERS*

It is hardly surprising that Petrus Ioannis Olivi (d. 1298) was concerned about the problem of how Christians should regard pagan philosophy. Christian intellectuals had been forced to deal with the problem in one form or another since the days of the early church. The two centuries leading up to Olivi's time had been especially troubled by this question, since western scholars had found themselves forced to come to terms with the newly-translated Aristotelian logical works in the twelfth century and with the rest of the Aristotelian *corpus* in the thirteenth. Olivi's own generation witnessed one of the most critical moments in this process, the battle with Siger de Brabant and the so-called "Latin Averroists", while his own Franciscan order spearheaded the attack in this battle.¹ Olivi himself was a student at the University of Paris during the years when that institution was the storm-center of the controversy. Thus it is understandable that he was aware of the issues and convinced that they were worth discussing.

The basic aim of this study is to characterize Olivi's own attitude toward the pagan philosophers. It is to be hoped, however, that the presentation will be such as to provide both insight¹ into his views on this particular matter and a somewhat broader understanding of the general worldview from which these views emerge. Thus we could do worse than to start with an examination of the first four questions of his *Quaestiones de perfectione evangelica*,² in which Olivi attempts, not only to place philosophy within the context of Christian thought, but also to place study within the context of the Christian life.

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¹ See Hadrianus a Krizovlján, "Controversia doctrinalis inter magistros franciscanos et Sigerum de Brabant," *Collectanea Franciscana*, XXVII (1957), 121—65, as well as the author's later essay, "Primordia scholae franciscanae et thomismus," *Collectanea Franciscana*, XXXI (1961), 133—75.

² The importance of this source for the subject at hand is admirably stressed by Hildebert Huning in a brief but incisive article, "Artes liberales und Philosophie in der Olivischule," *Actes du Congrès International de Philosophie Médiévale*, IV (1967), 673—82. The bibliographical story behind the *Quaestiones de perfectione evangelica* (hereafter *Qq. de perf. evang.*) is a

In the first of these questions, Olivi considers the relative value of the contemplative and the active life. He argues for the superiority of the contemplative life, which he conceives as that action through which the soul is united immediately with God. The essential inferiority of the active life — works performed to promote the spiritual and physical well-being of creatures — is apparent from the fact that through contemplation we attain our ultimate end (knowledge and love of God) immediately, while through the active life we are merely disposed to attaining it.³ Moreover, external works derive their meritorious nature from their relation to the contemplative life, since it is through the contemplative life that we are brought to love God in Himself and in all his creatures. In other words, the contemplative life is the source of that love through which our external acts are meritorious.⁴

Olivi is far from accepting the notion that the active life, being of lesser value, should be shunned entirely. Our love for God's creatures does impel us to do something about them. Moreover, none of us has enough spiritual stamina to devote himself unswervingly to the contemplative life, and thus the active life offers a necessary change of pace which will enable us to return to the contemplative life with new dedication. Nonetheless, in every case the Christian is justified in engaging in such works only when he can do so without damaging his own spiritual life.⁵

Having established the centrality of the contemplative life, Olivi goes on to define the relative role of intellect and will within it. Like other Franciscan theologians before and after, he emphasizes the priority of the will. Here he obviously views himself as a participant in one of the most important debates of his day, for (as will be seen in a moment) he feels that the fate of sound Christian doctrine is intimately and inextricably connected with this basic psychological question. For Olivi,

complex one. Of the seventeen known questions, nine have been edited. Question 1 — using the order found in Servus Gieben, "Bibliographia Oliviana," *Collectanea Franciscana*, XXXVIII (1968), 190—91 — was published in *Studi Francescani*, LX (1963), 402—45; qq. 2—4 in *Studi Francescani*, LXI (1964), 113—67; q. 5 in *Studi Francescani*, LXIII (1966), 93—108; q. 6 in *Studi Francescani*, LXIV (1967), 21—57; q. 12 in *Antonianum*, XVI (1941), 143—64; q. 14 in *Rivista di storia della Chiesa in Italia*, III (1949), 325—43; q. 16 in *Archivum franciscanum historicum*, XI (1918), 340—66. All references to these questions will cite the name of the work, the number of the question, and the page number (in parentheses). Those wishing complete bibliographical information may then refer back to this footnote to learn the journal, volume and year.

³ *Ibid.*, q. 1 (421, 426).

⁴ *Ibid.*, q. 1 (432).

⁵ *Ibid.*, q. 1 (120—21).

Christian orthodoxy demands a psychology in which intellect is related to will as instrument to agent.⁶ Within the context of the question at hand, he recognizes a certain priority of intellect to will in that love presupposes vision. Nevertheless, in contemplation the will predominates not only in the sense that it turns the intellect to its object but also in the sense that love both presupposes vision and adds something of its own which heightens the intimacy and quality of our union with God. The contemplative life involves more than *visio Dei* in any strictly intellectual sense. It involves union with God through what Olivi calls *amor amicitiae*, a love which seeks God's praise and honor rather than our own utility.⁷ This union of love is, as it were, the crowning glory of the contemplative life.⁸

Such is, in brief, Olivi's understanding of the contemplative and the active life. So far it may seem to have little bearing upon the subject of this essay; yet it serves as the foundation for the third and fourth of his questions on evangelical perfection, in which he considers the role of study in the Christian life. Here he argues that study is good by nature (*de genere suo*) only when it is dedicated to considering divine things (*ad divina intuenda*), to understanding those things by which we are ordered (*ordinamur*) immediately to God, or to learning those things which aid us in such an understanding. In these cases its goal is not only enrichment of the intellect but stimulation and regulation of the will (*excitatio et regulatio voluntatis*).⁹ In fact — and here Olivi's strong emphasis on the will comes to the fore again — the excellence of study is to be determined by the degree to which it contributes, not to intellectual cognition, but to *caritas*.¹⁰

Seen in this way, study ranks neither highest nor lowest in the great hierarchy of human activities. It is less valuable than internal acts of the will like compassion, self-abnegation and obedience inasmuch as these are meritorious in themselves, a claim which cannot be advanced on behalf of study or any other act of the intellect. Nevertheless, study has some priority over these internal acts insofar as their existence depends upon that knowledge of the truth which is derived from study.¹¹ On the other hand, study is clearly superior to *external* acts of mercy, self-denial

⁶ *Ibid.*, q. 1 (120—21).

⁷ *Ibid.*, q. 1 (122). Here Olivi's debt to Bernard and others is obvious enough. Note, however, the stress which Olivi places upon the aspect of friendship in our relationship with God in *Ibid.*, q. 1 (124) and elsewhere in his writings.

⁸ Olivi consciously echoes I Cor. 13; 13 in acknowledging the priority of love over faith and hope. See *Ibid.*, q. 1 (123).

⁹ *Ibid.*, q. 3 (148).

¹⁰ *Ibid.*, q. 3 (149).

¹¹ *Ibid.*, q. 4 (162).

or obedience both because study is an interior act and because it has a nobler end.¹² It is, in fact, naturally superior to all external acts except preaching and the exercise of ecclesiastical rule.¹³

It must be remembered that Olivi is not talking about *all* study. Some study is necessary, some useful and some harmful.¹⁴ Olivi is aware, of course, that this neat tripartite division must be qualified in a world too complex for any easy answers. He is willing to acknowledge that necessity by supposition has a place in his scheme. For example, he who wishes to lead others to perfection may need a great deal more knowledge than would otherwise be considered necessary.¹⁵ Again, the necessary amount of study will vary with the degree of perfection sought by the individual. Nevertheless, the general direction of Olivi's thought is clear enough. We are dealing with that study leading up to the cognition which — as we have already seen — is prior to and yet fulfilled by love in the contemplative life. The question is: What sort of study is most clearly essential for this cognition?

On the whole, Olivi prefers to talk about the Bible in this context.¹⁶ On at least one occasion the Bible is combined with another object of cognition in a passage which underscores the continuity between Olivi and Bonaventure.

On the part of the intellect, however, the perfection of the act of contemplation is the full, clear and superintellectual or supernatural experience of the divine sublimity and loftiness, wisdom and goodness. Such cannot occur unless the intellect is supernaturally raised to superintellectual things through faith and powerfully attached to them, polished and sharpened through love. Moreover, it must be fully illuminated through clear cognition of the scriptures and creatures, so that at length it can be fully gathered up and elevated to experience the divine power and sublimity, wisdom and goodness through scriptures and creatures and in scriptures and creatures.¹⁷

¹² *Ibid.*, q. 4 (163).

¹³ *Ibid.*, q. 4 (163). Olivi argues that these two constitute exceptions because they are related to study *sicut excedentia et excessa*, as end to cause, and because they are more immediately ordered to the care of souls, study being ordered to that end only through them. Such an argument seems rather inconsistent with the general thrust of his thought in these questions, and one might well suspect that Olivi is bending his theory to fit his predictions.

¹⁴ *Ibid.*, q. 3 (150).

¹⁵ *Ibid.*, q. 3 (15).

¹⁶ *Ibid.*, q. 3 (151, 156 f.).

¹⁷ *Ibid.*, q. 1 (418): "Perfectio autem actus contemplationis ex parte intellectus est plena et clara et superintellectualis seu supernaturalis apprehensio divinae sublimitatis et altitudinis, sapientiae et bonitatis. Quod esse non potest, nisi per fidem sit ad superintellectualia supernaturaliter elevatus, et per amorem fortissime ad ipsa applicatus, limatus et exacutus. Et oportet ut per claram cognitionem Scripturarum et creaturarum sit plenissime

It is intriguing to ponder the ways in which this notion of "a clear cognition of . . . creatures" might have been developed and the effect such a development might have had upon Olivi's view of study. He does not develop it, however, and in the questions explicitly dealing with the role of study he says nothing about knowing God in his creatures. Here the Bible is absolutely central.

Granting, then, that Bible study is important, what else is important? Olivi's answer is that there are certain disciplines which aid us in our understanding of the Bible. These, too, are of value. In fact, Olivi is willing to say that some of these auxiliary sciences are necessary. He explicitly mentions grammar and logic in this regard.¹⁸

All study need not be necessary in order to have value, however. There are those which are classified by Olivi as "useful", and they can be so in several ways. There is the obvious service of contributing to greater knowledge of the Bible, knowledge which, if perhaps not necessary, nonetheless contributes to the contemplative life. Moreover, study can be useful as a temporary alternative to devotion, given the fact that even the most devout Christian cannot maintain a continuous level of devotional fervor. Again, study can be helpful in freeing the mind from more worldly concerns.¹⁹ In every case, however, the value of study is contingent upon the inner orientation with which it is conducted. It must be performed in the love of God and directed toward Him.²⁰ Otherwise it is harmful rather than helpful.

Thus there are really two criteria at work in deciding which study is acceptable or unacceptable. On the one hand, there is the objective criterion of necessity or usefulness. All study beyond that which is necessary or useful for the study of scripture is actually harmful.²¹ On the other hand, there is the subjective criterion of attitude. The same pagan philosophy which performs a useful function for one reader can be deadly for another man who, failing to subordinate it to biblical revelation, attributes more than the proper amount of authority to it²² or lets his study of it detract from his devotional life.²³ Olivi insists

illustratus; ut tandem possit totus recolligi et elevari ad apprehendum divinam potentiam et sublimitatem, sapientiam et bonitatem per Scripturas et creaturas, et in Scripturis et creaturis." See the similar passage in *Ibid.*, q. 1 (419). Here Olivi's ties with Bonaventure are obvious.

¹⁸ *Ibid.*, q. 3 (156, 157).

¹⁹ *Ibid.*, q. 3 (150).

²⁰ *Ibid.*, q. 3 (150, 156).

²¹ *Ibid.*, q. 3 (151, 156—57).

²² *Ibid.*, q. 3 (157).

²³ *Ibid.*, q. 3 (150).

that the major part of one's time should be spent in prayer rather than study.²⁴

Once Olivi's attitude toward study is understood, it should hardly come as a surprise that he considers philosophy to be a very secondary affair. In themselves, philosophical questions are unworthy of the Christian's serious concern. They are certainly not worth fighting over.²⁵ In his *apologia* to the commission which censured him in 1283, Olivi notes that he surrendered without a struggle on all merely philosophical issues.

I offered no defense regarding those issues which were philosophical, without any bearing upon our faith. Such cases I simply and absolutely subjected to your judgment, partly because I disapprove of categorical statements on these matters (particularly stubborn ones) and partly because — as my customary way of handling philosophical questions clearly demonstrates — I neglect matters of this sort more and value them less than many people believe.²⁶

The last clause raises some interesting questions, of course. It suggests that Olivi's indifferences to philosophical matters may have been considered at least debatable by some of his contemporaries. Nor are his contemporaries the only ones to have questioned him on this score.²⁷ Since the preceding quotation appears in an explicitly apologetic work, neither its sincerity nor its accuracy can be accepted without corroborating evidence.

When we search Olivi's works for such corroboration, we seem to

²⁴ *Ibid.*, q. 3 (150 f., 156).

²⁵ See his *Impugnatio XXXVII articularum adversus opiniones doctorum quorundam quorum ipse suppressere voluit* (hereafter *Impugnatio*) in *Quodlibeta* (Venetiis: apud Lazarum Soardum, 1509), f. 45v: "De hoc autem non curo, quia magis spectat eius inquisitio ad naturalem quam ad theologum." See also the *Responsio quam fecit Petrus Iohannis ad litteram magistrorum, presentatam sibi in Avinione* (hereafter *Responsio* I) in *Archivum franciscanum historicum*, XXVIII (1935), 130, where he says regarding the predicaments, "De hoc nihil assertive quod sciam dixi, licet inter multas opiniones aliquid de hoc recitaverim; et quia de huiusmodi philosophicis non multum curo, paratus sunt (sic) revocare, quamvis communem opinionem in scholis semper tenuerim."

²⁶ *Responsio fratris Petri Ioannis Olivi ad aliqua dicta per quosdam magistros Parisienses de suis Quaestionibus excerpta* (hereafter *Responsio* II), in *Archivum franciscanum historicum*, XXVIII (1935), 134: "... de his quae erant philosophica, fidem nostram non contingentia, nullam vim feci, sed ea simpliciter et absolute subieci iudicio vestro pro eo quod eorum assertiones, et praecipue pertinaces, ego in parte detestor, et in parte, plusquam a plerisque credatur, negligo et parvipendo, sicut satis potest patere ex modo quem tenui in huiusmodi philosophica recitando."

²⁷ See Efrem Bettoni, *Le Dottrine Filosofiche di Pier di Giovanni Olivi* (Milano: Società Editrice "Vita e Pensiero," 1959), pp. 39—53 (hereafter *Dottrine*).

find more than enough. Sometimes he closes his discussion of an issue by explicitly deferring judgment to wiser men.²⁸ Sometimes his opinion is combined with a deprecating reference to the modesty of his own intellectual stature.²⁹ Sometimes his view is depersonalized, being presented as an opinion held by an anonymous *quidam* rather than by the author himself.³⁰ Stranger still, there are times when he presents his own opinion in anonymous form and then explicitly concludes in favor of the opposite opinion because he feels it to be *solemnior et communior*.³¹

Such modesty itself raises a few questions, of course. One still has to ask *why* Olivi is so retiring in these cases. One possible answer would be that he is being diplomatic, trying to stay out of trouble.³² It was, after all, an unnerving time for theologians and Olivi may well have

²⁸ *Quaestiones in secundum librum sententiarum* (Quaracchi: Collegii S. Bonaventurae, 1922–26), Vol. I, q. 19, p. 370: "Quae igitur istarum opinionum sit verior aliorum iudicio derelinquo." All succeeding references to this work will give title (abbreviated as *II Sent.*) and question number, with volume and page numbers in parentheses. See *II Sent.*, q. 12 (I, 231): "Quid autem de istis opinionibus verius sit sapientiorum iudicio derelinquo."

²⁹ *Ibid.*, q. 31 (I, 517): "Videtur enim modicitati intellectus mei . . ." *Ibid.*, q. 36 (I, 646): "... ultima tamen modicitati mei iudicii probabilior videtur . . ."

³⁰ See *Ibid.*, q. 58 (II, 410) regarding the activity of the will, or q. 23 (I, 424) regarding whether an agent must always be present to its object. Note that the various types of response listed here are not mutually exclusive. In q. 23 Olivi concludes by deferring judgment to those wiser than he, even though he has presented his own opinion in anonymous form, as several modern scholars have shown. See Bettoni, *Dottrine*, p. 452; Anneliese Maier, *Zwei Grundprobleme der scholastischen Naturphilosophie* (Roma: Edizioni di Storia e Letteratura, 1951), pp. 137–52.

³¹ See *II Sent.*, q. 14 (I, 271) regarding whether unity, truth and goodness add something to being, where a comparison with q. 7 shows Olivi's true feeling on the matter. In *Ibid.*, q. 12 (I, 210–31), which deals with the question of whether individuation adds something to the essence of the individual, Olivi again seems to choose the position he secretly favors least. See Bettoni, *Dottrine*, pp. 217–23. In both cases, Olivi hedges his conclusion with an announcement that he would be unable to offer a thorough defense for any of the positions which he has presented.

Responsio I, pp. 128–30 suggests that Olivi may have followed this practise in his teaching. See *Ibid.*, p. 128: "... recitavi, non asserendo, contrarium. Semper tamen in scholis tenebam et docebam communem opinionem"; *Ibid.*, p. 129: "Istud etiam quamvis scripserim, in scholis tamen non dixi . . ."; *Ibid.*, p. 130: "De hoc nihil assertive quod sciam dixi, licet inter multas opiniones aliquid de hoc recitaverim . . . quamvis communem opinionem in scholis semper tenuerim." Bettoni, *Dottrine*, pp. 37 f. finds this procedure unsettling and seems to feel that there is something rather dishonest about it. Although this writer does not share Bettoni's misgivings, the whole matter is intriguing and one wishes that more solid evidence were available.

³² See Bernard Jansen's comments on this matter in his prolegomena to *II Sent.*, Vol. II, p. xiii, or those by Louis Jarraux, "Pier Jean Olivi, sa vie, sa doctrine," *Études Franciscaines*, XLV (1933), p. 518.

wished to preserve himself from any clash with the authorities. If such is the case, then it would seem that his apprehension was justified, even if his efforts were unsuccessful.

The role of Olivi's own order in this regard was an important one. It is not without irony that throughout his career it seems to have been his fellow Franciscans who gave him the most trouble. Olivi himself seems to have felt a special obligation in this regard. Despite his general reticence in philosophical matters, he is often quite forthright in supporting a position which claims the authority of St. Bonaventure. Conversely, he is particularly reticent when it comes to opposing such a position.³³

Moreover, as Josef Koch has suggested,³⁴ Olivi may have felt that some degree of modesty was demanded by his scholarly status. He left Paris as a *baccalarius*, never having achieved the rank of *magister*.³⁵ Olivi's lack of the highest academic credentials might well have served as a contributing factor in shaping his attitude, although it must be recognized that his status did not deter him from taking a very definite stand on certain issues, as will be seen in a moment.

While it may be true that such factors as academic status and fear of attack bear some relation to Olivi's reticence, the most obvious (and

³³ For an example of the former case see *Ibid.*, q. 9 (I, 165), where he agrees with Bonaventure against Thomas Aquinas on the difference between *tempus* and *aevum*. For the latter case see *Ibid.*, q. 31 (I, 516—17), where he agrees with Thomas against Bonaventure on the issue of *rationes seminales*. Here he actually does commit himself, but with great hesitation: "Licet autem huic viae in nullo praeiudicare intendam, cum non solum sit magnorum sed etiam potissimorum magistrorum meorum, quia tamen aliam melius meo iudicio intelligo, idcirco quid ad ipsam tenendam me moveat sine alterius contumelia subiungam; quamvis hoc ipsum non facerem, nisi esset multorum solemnium et modernorum. Videtur enim modicitati intellectus mei magis esse consona rationi et auctoritati tam sanctorum, et potissime Augustini, quam mundanorum philosophorum." Note that Olivi is hardly walking alone here. He is supporting a position held, not only by decent modern philosophers, but also (at least in Olivi's opinion) by Augustine, before whose authority Olivi almost always bows. One suspects that he is quite right in claiming that he would not have challenged the Bonaventurian position without such illustrious supporters. Had he found himself alone in his opinion, he probably would have introduced it as an alternate view held by some nameless *quidam*.

³⁴ "Der Sentenzencommentar des Petrus Johannis Olivi," *Recherches de théologie ancienne et médiévale*, II (1930), p. 307.

³⁵ In the letter to some associates printed in *Quodlibeta*, ff. 51v—53r and in *Études Franciscaines*, XXIX (1913), 416—22 (hereafter cited as *Letter* with pagination from the edition in *Quodlibeta*) Olivi sees the magisterial status as out of keeping with the true way of the cross. *Letter*, f. 51v: "... quia et si mundus vellet me ad ambitiones humani magisterii sublevare; christus hoc nullatenus pateretur; addens quod et si hoc propter peccata mea permitteret quasi signum mihi esset reprobationis eterne..."

probably the most important) explanation would seem to be the one Olivi himself offers for his conduct, an explanation which would seem generally consistent with his character and viewpoint. In his own view, his attitude is a combination of modesty and indifference. The reasons for his modesty lie not so much in his academic status as in his understanding of his own obligations as a Christian in general and as a Franciscan in particular. Olivi's protestations of humility are sometimes so lavish that they come close to embarrassing the modern reader,³⁶ but one does not have to go to these passages in order to sense the general cast of his thought. The humble man does not presumptuously pose as an expert on theology, philosophy or anything else. Least of all does he allow himself to be led into endless argument on nonessential matters.³⁷ Merely philosophical matters are not fitting material for academic dispute.

If such an observation explains Olivi's modesty, it would seem to go a long way toward explaining his indifference as well. His attitude represents an attempt to put philosophy in its place, to act in accordance with the fact that most philosophical speculation has only peripheral importance for the Christian. Seen in this way, his indifference would seem to find its justification in what has been said regarding the role of study in the Christian life.

In reality, there is one more important factor to be considered. Here, too, his Franciscan background is important. In one of his questions on evangelical perfection he bolsters a defense of poverty by observing that it guards the Christian faith against those errors which may be introduced into it through the application of pagan philosophy.³⁸ Olivi's basic argument is that since pagan (and particularly Aristotelian) philosophy derives most of its principles from sense experience, the consistent Aristotelian finds it hard to accept a faith which is, in the words of Hebrews 11:1, "the conviction of things not seen". The true lover of poverty, turning from the things of this world and counting them as refuse, will not be seduced by his senses. In short, indifference to the temporal world involves a new perspective regarding the data upon which pagan philosophy is based.

Two apparent problems must be noted. The first arises from the sheer amount of space Olivi devotes to philosophical questions in his

³⁶ See *Ibid.*, f. 51v; *Responsio* II, p. 130.

³⁷ In *Letter*, f. 51v Olivi says that he has shunned *parisienses ambitiones*.

³⁸ *Qq. De perf. evang.*, q. 8, Bibliotheca Laurenziana, Florence, cod. 448, f. 12d.

Commentary on the Sentences. Is there not some inconsistency involved here? How could a man really indifferent to philosophical speculation spend so much time talking about philosophy? Here we must be sure precisely what problem we are discussing. If the question is whether Olivi's extensive examination of philosophical questions is patently inconsistent with the role which he explicitly accords to philosophy, the answer would seem to be that it is not. He disapproves of philosophical speculation which does not contribute to knowledge of the Bible. If "the Bible" is taken fairly broadly to mean "the faith", it is possible to argue that the variety of philosophical questions found in the sentence commentary is an indication of how widely Olivi is willing to spread his net assigning relevance to philosophical speculation. Here, of course, precedent would encourage Olivi to take such an attitude, since a wide variety of philosophical questions had already found their way into *Commentaries on the Sentences* precisely because of their supposed relevance to theological concerns. Whether all of them actually *were* relevant is another matter. One might argue that Olivi actually does discuss a number of things which have no earthshaking importance for Christian thought and, had he wished to be entirely consistent, he might well have asked himself whether some of these questions were worth the time he invested in them. Even if one accepts such an argument, however, the implied criticism would seem a rather mild one.

A second, slightly different question might be asked about the *emotional* consistency shown by Olivi. Is he really quite so indifferent to the wiles of philosophy as his comments might lead one to believe? Here one suspects that Olivi may have enjoyed his work more than he cared to admit. He seems to have approached both theological and philosophical problems with a great deal of interest and to have derived a healthy amount of enjoyment from discussing them. It is true, of course, that one must distinguish between enjoying the discussion and presumptuously insisting upon the conclusion. Only the former is in question here. Nevertheless, even the former raises the problem of consistency. It is again a relatively mild question and Olivi's reputation could hardly be said to hang upon it, but it is a question nonetheless.

There are those who would raise a more serious question, wondering whether Olivi *is* quite so innocent of presumptuous affirmations as he claims. Here we come to the second problem, caused by the fact that Olivi was regularly involved in controversy, some of which had to do with philosophical issues. Once engaged, Olivi combined his expressions of humility with a notable reluctance to give ground in some areas.

This fact has led some scholars to suggest that Olivi's modesty in philosophical matters — not to mention his scientific objectivity — was compromised by a streak of something resembling fanaticism.³⁹ This second aspect of Olivi's personality is sometimes connected with his supposed Joachimite tendencies. It can be connected with his apparent claim on his deathbed that he had received all of his knowledge by special divine illumination.⁴⁰

It is hard to evaluate such claims. The question of Olivi's Joachimism is hardly settled. Raoul Manselli, who is probably better informed on this matter than any other living scholar, considers Olivi to be much less indebted to Joachim than has hitherto been imagined.⁴¹ In any case, Joachimism would not necessarily result in fanaticism.⁴² The matter of divine illumination is equally unsettled. The authenticity of the passage containing the aforementioned claim is highly questionable.⁴³ Moreover, while it is beyond dispute that Olivi did consider himself to be the recipient of divine illumination,⁴⁴ it is equally clear that he was amply aware of the dangers involved and careful to establish stringent criteria for its authentication.⁴⁵ His normal attitude toward his own authority seems quite at variance with the notion that he thought himself to be especially favored by divine revelation in philosophical matters.

Nevertheless, Olivi did find himself involved in debate, and he did stand his ground upon occasion. It is important to recognize the precise nature of the debate on these occasions. Here it must be recognized that

³⁹ See Livarius Oliger, "Petri Iohannis Olivi de renuntiatione papae Coelestini V quaestio et epistola," *Archivum franciscanum historicum*, XI (1918), 323; Bettoni, *Dottrine*, pp. 40—45.

⁴⁰ *De obitu fratris Petri*, in *Archivum franciscanum historicum*, XI (1918), 267: "Post sacram unctionem susceptam dixit coram Fratribus astantibus totam scientiam suam recipisse a Deo et Parisius hora tertia se fuisse illuminatum a Domino Yhesu Xristo."

⁴¹ *La Lectura super apocalipsim di Pietro di Giovanni Olivi* (Roma: Istituto Storico Italiano per il medio evo, 1955).

⁴² As Manselli shows in his *Spirituali e Beghini in Provenza* (Roma: Istituto Storico Italiano per il Medio Evo, 1959), Joachimism could result in fanatical resistance to authority under the right conditions. It was largely a matter of how one chose to fit present events into the great eschatological drama.

⁴³ The confession of faith to which it leads seems to belong to another period of Olivi's life if it can be attributed to him at all. See Albanus Heyse's introductory comments in *Archivum franciscanum historicum*, XI (1918), 263—64.

⁴⁴ See *Letter*, f. 53r.

⁴⁵ See *Ibid.*, f. 53r and the fuller treatment in Olivi's *Remedia contra temptationes spirituales* published in Manselli, *Spirituali e Beghini in Provenza* pp. 282—87.

Olivi's attitude toward purely philosophical matters is conditioned, not only by his view of the relative importance of philosophy in the Christian life, but also by his conviction that philosophy as accepted by many of his contemporaries constitutes a menace to the Christian life. The root of the problem lies in the identity of the men to whom Olivi and others refer as "the philosophers".

Olivi's most sustained critique of philosophy is the *De perlegendis philosophorum libris*,⁴⁶ in which he attempts to describe the attitude with which the Christian should approach the writings of the pre-Christian philosophers. Olivi is aware, of course, that at least two other types of philosophical endeavor call for some sort of response by the Christian. Living as he did in the decades immediately following the Parisian condemnations of 1270 and 1277, he had firsthand experience of the problems raised by both Islamic philosophers and certain members of the Parisian arts faculty. Nevertheless, the *De perlegendis* is aimed explicitly at the confrontation between Christianity and *ancient* philosophy. Such a limitation is hardly fortuitous, since Olivi tends to see this confrontation as a basic one from which the more modern problems are derived.

The treatise begins rather ominously with a quotation from 1 Cor. 1:20: "God has made foolish the wisdom of this world."⁴⁷ Olivi observes that this quotation points to four important aspects of "worldly philosophy": The falsity of its errors, the truth of its reasoning, the emptiness of its teaching, and the limited nature of its examination. The rest of the treatise is largely an examination of these four categories.

Regarding the first, Olivi notes that the teaching of the philosophers is false "in the principles on which it depends, in the arguments by which it reasons, and in the conclusions at which it arrives."⁴⁸ His discussion of the first point proceeds largely on the basis of a distinction between the spiritual and the sensual. As Aristotle himself admits, "the philosophers' principles are taken from sense and from sense experience".⁴⁹ Thus worldly philosophy cannot grasp the truth, since "the principles of truth are most spiritual and most abstract, and the unspiritual man cannot grasp them because discernment or experience of them is spiritual rather than sensual".⁵⁰ Olivi's explanation of the second point, the falsity of the arguments, is little more than a pastiche of

⁴⁶ In *Antonianum*, XVI (1941), 37—44.

⁴⁷ *Ibid.*, p. 37.

⁴⁸ *Ibid.*, p. 38.

⁴⁹ *Ibid.*, p. 39.

⁵⁰ *Ibid.*, p. 38.

biblical quotations adding up to the idea that faulty arguments inevitably follow from faulty premises.⁵¹ In regard to the third point, he merely cites Romans 1 : 21 ff.

Having outlined "the falsity of its errors", Olivi turns to "the truth of reasoning". His basic assertion is that "worldly philosophy . . . contains wisdom in its matter or subject, in its form or mode, and in its proximate end".⁵² It "has some truth in its subject" because its subject is being rather than nonbeing and because of its way of dividing sciences and substances according to types of being on the one hand and our mode of apprehension on the other. Olivi's argument is easier to quote than to summarize.

Thus, since they saw that one sort of being did not come from ourselves, another sort came from our reason, and still another sort came from our will and action, they divided the sciences into real, rational and practical, the real comprising the quadrivium, the rational the trivium, and the practical metaphysics and ethics or politics. And since, in dealing with things, our intellect ascends three degrees, apprehending some things with the help of sensible qualities, others with the help of imaginable quantities, and others through the idea of intelligible essences — or, to put it another way, it apprehends some things with motion and quantity, others without motion yet with quantity, still others without either motion or quantity — they divided the real or speculative sciences into the categories of natural, mathematical, metaphysical or divine. Since reason by its very nature searches for the true, proper and persuasive, they divided the rational sciences into grammar, which searches for the proper wording; logic, which seeks and sits in judgment upon true syllogisms; and rhetoric and poetry, which strives to produce persuasive syllogisms through the use of the various rhetorical and poetic techniques. Since our will seems to concern itself with three things, namely the soul, the life of the body and external matter, the philosophers divided the practical sciences into the categories of ethical or political, medical or curative, and metaphysical.^{52a}

⁵¹ *Ibid.*, p. 39. Olivi does an excellent job of marshalling relevant biblical texts. In fact, one of the most striking things about the work is the sheer number of biblical citations it contains. Nevertheless, these texts are not always as helpful as they might be, since Olivi often cites them without making any effort to explain their precise meaning for the matter at hand.

⁵² *Ibid.*, pp. 39—40.

^{52a} *Ibid.*, p. 40: "Unde quia viderunt quoddam esse ens non a nobis, quoddam vero esse ens nostrae rationis, quoddam vero esse ens nostrae voluntatis et actionis, idcirco diviserunt scientias in realem, rationalem seu sermocinalem et in practicam, reales attribuentes quadrivio, sermocinales trivio, practicas vero metaphysicis et ethicis seu politicis. Et quoniam circa res noster intellectus triplici gradu ascendit: quaedam enim apprehendit per adiutorium sensibilibus qualitatibus, quaedam vero per adiutorium imaginabilem quantitatum, quaedam vero per speciem intelligibilem quidditatum, seu quaedam apprehendit cum motu et quantitate, quaedam sine motu et cum quantitate, quaedam vero sine utroque, ideo scientias reales seu specu-

Worldly philosophy also "has wisdom in its form or mode, for it investigates matters in an orderly way, moving from the general to the specific, from the obvious to the obscure", proceeding "by means of proof or ratiocination". Olivi has no quarrel with inductive or deductive reasoning *per se*.

Finally, worldly philosophy "has wisdom in its proximate end", which varies with the various sciences. In the speculative sciences it is "the contemplation of real truth". In the rational sciences it is "the formation of proper and fitting statements or, to speak in higher and subtler fashion, the proper ordering of the acts performed by our reason". In the practical sciences it is "the advantage of human regimen insofar as it pertains to this life".

Thus Olivi concludes the only part of his treatise in which he proposes to say something nice about ancient philosophy. Even here, however, his praise is tempered with criticism, since he reminds his readers that "in all these sciences the truth it contains is mixed with a great deal of pernicious falsity", since worldly philosophy, lacking true knowledge of God, "is improperly related to man's final end both in the speculative sciences, where the final end is perfect contemplation of God, and in the practical sciences, where the final end is perfect care and provision for human salvation".⁵³

Olivi now turns to his third point, the emptiness of worldly philosophy. The ancient philosophers, in the words of Romans 1 : 21, "became futile in their thinking". Here Olivi's argument revolves around two basic ideas, the first of which has to do with the way in which the philosophers went about their business. Lacking proper reverence for God, they proceeded "with temerity and presumption". Their attitude was diametrically opposed to the one demanded by Paul when he says, "If someone among you seems to be wise in this world, let him become foolish in order to be wise", or when he says, "Not that we are sufficient to claim anything as coming from ourselves, but our sufficiency is from

lativas diviserunt in naturalem, mathematicam, metaphysicam seu divinam. Quoniam etiam ens rationis fuit circa intentionem veri, congrui et persuasivi, ideo diviserunt scientias rationales seu sermocinales in grammaticam, quae insistit circa inventionem congrui sermonis, in logicam, quae insistit circa inventionem et dijudicationem syllogismi verisimilis, et in rhetoricam simul et poeticam, quae insistent circa inventionem syllogismi persuasivi et attractivi per locos rhetoricos et per tropos figurales et poeticos. Quia autem ens nostrae voluntatis et actionis videtur versari principaliter circa tria, videlicet circa animam, circa corpus vitale seu circa corporis vitam et circa exteriorem materiam, ideo practicam diviserunt in ethicam seu poeticam et in medicinam seu curativam et in metaphysicam."

⁵³ *Ibid.*, p. 41.

God" (I Cor. 3: 18; II Cor. 3: 5). Their writings are full of proud, empty disputation, making them quite the opposite of the apostle, who spoke "not with eloquent wisdom, lest the cross of Christ be emptied of its power".⁵⁴

On the other hand, the writings of the philosophers are empty, not only because of their attitude, but also because man's end as they envisage it is itself empty. "For if there is no end beyond the one posited by worldly philosophy, all things occur to wise and foolish alike and 'the wise man dies just as the fool does'."⁵⁵

Olivi's final criticism of worldly philosophy is directed at "the particularity or limitation of its examination". Their knowledge of nature was limited to these things which could be learned by studying the external accidents discernible by their senses. Thus they could learn little about those things which, although observable by the senses, were not clearly observable *by them* due to distance or other impediments, and they could say little of value regarding such things as specific differences and forms.⁵⁶ Their knowledge of man was even more limited. They were unable to learn anything about man's original state and subsequent fall, the division of languages, the original settlement of various lands, and other things of this sort, nor could they comprehend the nature and powers of the human soul. Their understanding of separate intellectual substances was so abominable that they spoke of them as gods. Their knowledge of the first cause was equally unimpressive, for they were ignorant, not only of more abstruse matters like the trinity, but of such basic subjects as God's justice, mercy and rewards, his providence, and his creative power.

Pausing for a moment to note that the philosophers erred less concerning the rational sciences than in matters pertaining to the faith, Olivi proceeds to summarize their failings in the moral and political sphere.

What they discovered regarding morality and the political rule of men is clear enough, for they taught us a false beatitude and consequently false virtues. I pass in silence over such things as the redemption and restoration of mankind, the grace of God our savior, angelic protection, the battle against demons, and the victory over temptations, concerning which the philosophers neither knew nor wrote anything that was true. Nor is this surprising, when all so disgracefully strayed from the worship of the true God that they were all equally enslaved by idolatry.⁵⁷

⁵⁴ I Cor. 1: 17.

⁵⁵ *Ibid.*, p. 42.

⁵⁶ *Ibid.*, pp. 42—43.

⁵⁷ *Ibid.*, p. 44: "Quid de moribus et de toto regimine hominum politico invenerunt, patet, quia falsam beatitudinem ac per consequens falsas virtutes

Thus the credentials of worldly philosophy are not particularly impressive. In the areas of grammar, logic and rhetoric the philosophers seem to have performed in a more or less satisfactory manner. Their knowledge of the physical sciences was adequate insofar as it could be based upon empirical observation. Otherwise their accomplishment was a rather shabby one, a mixture of some truth and a great deal of falsehood. Moreover, their entire achievement was placed at the service of an improper end in both the speculative and the practical sciences.

How does one go about explaining this fact? Although Olivi fails to provide any detailed answer to the question, he does offer a rather terse summary of his thought on the subject.

Nor should it be surprising if worldly philosophy is such, since its authors were such. For they had some share in the light of natural intelligence, and thus were able to write some things that were true; yet they had it darkened by original and actual sin, causing them to mix truth with falsity. They had it in modest quantity and closely tied to matter, thus forcing them to proceed through attention to particulars. They had it without the light of faith and divine grace of friendship, and thus they were enslaved by empty falsehoods.⁵⁸

The three basic ingredients of the answer are clear enough: Sin, the limitations of human reason, and the lack of a faith-relationship to God. No real effort is made to explain how the three fit together.

It is worth noting that Olivi makes no effort to play one philosopher off against another. Plato and Aristotle are placed in precisely the same category.⁵⁹ If anyone might be said to receive favored treatment, it would be Aristotle, since Olivi quotes him throughout the work. Most of the time he is being called upon to testify against himself,⁶⁰ although occasionally he is cited in a more flattering context.

nobis tradiderunt, ut taceam de redemptione et reparatione humani generis et de gratia Dei Salvatoris et de custodia angelica et de pugna contra daemones et eorum tentatione vincenda, de quibus nihil omnino veri sciverunt aut scripserunt? Nec mirum, quando omnes in cultu veri Dei sic turpiter erraverunt, ut cuncti pariter idolatriae deservirent."

⁵⁸ *Ibid.*, p. 37: "Nec mirum si mundana philosophia talis est, quia auctores ejus tales fuerunt. Habuerunt enim aliquid de lumine naturalis intelligentiae, et ideo potuerunt aliquid veritatis scribere. Habuerunt tamen illud cum obtenebratione originalis culpae et actualis maculae, ex quo multum falsitatis habuerunt veritati immiscere; habuerunt etiam in modica quantitate et multa materialitate, et ideo particulariter habuit eorum perscrutatio in veritate intrare; habuerunt etiam illud sine lumine fidei et divinae gratiae seu amicitiae, et ideo habuerunt vanitati deservire."

⁵⁹ *Ibid.*, p. 44.

⁶⁰ E. g. *Ibid.*, p. 37: "Et quia in his sensibilibus abundabant, ideo Aristoteles, II Metaphysicae, coactus est dicere quod oculus eorum se habebat ad manifestissime naturae sicut oculus noctuae ad solem . . ."

What, then, is the function of pagan philosophy for a Christian scholar? Olivi's answer is essentially the one offered by Augustine's *De doctrina christiana*, which he quotes with approval. Worldly philosophy is useless in itself and dangerous when pursued as an end in itself, but it can be of value when used as a means. In other words, it must function in an essentially ancillary role. Since it is an *ancilla*, it "is to be read in a dominant rather than servile spirit, for we must be its judges rather than its followers".⁶¹ Here again, Olivi's remarks are rather cursory, but his view seems entirely consistent with the one already cited from the *Quaestiones de perfectione evangelica*.

Such, then, is the *De perlegendis philosophorum libris*. Although it provides a valuable general statement of Olivi's thought on the matter at hand, one could hardly call it an exhaustive study. In order to give further substance to Olivi's generalizations, we must examine the way in which he actually deals with the philosophers in his theological and philosophical writings.

At the outset an important point must be made, one which stands in some danger of being overlooked as this study unfolds. The overwhelming majority of Olivi's references to Aristotle and other nonchristian philosophers are made without any explicit reference to the fact that they *are* nonchristian. In fact, anyone who took the trouble to tally all these references would probably find that the majority of them are rather straightforward appeals to Aristotle's authority made in the course of proving a point.⁶² Moreover, such citations are hardly limited to Aristotle. Olivi cites Avicenna, Averroes and others, although less frequently. In other words, Olivi makes the sort of appeal to authority with which any student of Thomas Aquinas would be more than familiar. Moreover, when he sees Aristotle cited in favor of an opposing view, Olivi often raises the possibility that Aristotle's stand has been misinterpreted.⁶³

Against this unexceptional background, however, stand a much smaller number of statements which give Olivi's attitude toward Aristotle its own special quality.⁶⁴ It is not simply a matter of occasional disagreement with Aristotle. Even Thomas Aquinas sometimes had to do as

⁶¹ *Ibid.*, p. 38.

⁶² The most significant source here is *II Sent.* The editor provides an excellent set of tables at the end of the third volume and one of these tables (pp. 573—76) is highly relevant to the matter at hand.

⁶³ See, for example, *II Sent.*, q. 13 (I, 253—54), q. 17 (I, 361), q. 50 (II, 37—38, 40).

⁶⁴ See *Ibid.*, q. 58 (II, 436): "... in hac parte melius vidit etiam Aristoteles quam Hugo."

much. The most striking aspect of Olivi's attitude is the scorn with which he goes about registering his disagreement. "Aristotle does not seem to have been of this opinion, although it does not matter to me what he thought, since his authority, like that of any infidel and idolator, is nothing to me."⁶⁵ At one point he says that Aristotle reasoned "foolishly" (*stulte*).⁶⁶ At another he refers to "the empty and deceitful philosophy of Aristotle and his followers".⁶⁷ At times his refutation is delightfully *ad hominem*.

If, however, it should be said that Averroes accepts the opposite view . . . and that he seems to draw it from the words of Aristotle, it should be known that he similarly accepts one intellect in all of us and was a Saracen, while Aristotle was a pagan and an idolator.⁶⁸

His reservations are sometimes apparent even when he finds himself in agreement with Aristotle. "It seems that Aristotle was not of that opinion, although his authority displeases me greatly."⁶⁹ Olivi closes a long series of references to Aristotle's works with the observation that "there are many other ways in which this point could be defended by reference to Aristotle and his commentator, but I omit them for the sake of brevity and through dread of his authority".⁷⁰

What, after all, did Olivi find so dreadful about the philosophers? On the whole, he was reacting to two factors, each of which must be accorded at least some attention. First, Olivi is very emphatic in his attacks upon those who blindly venerate Aristotle, accepting his word as an unquestionable authority. "For the Christian, only sacred scripture and the catholic faith ought to be accepted as an unquestionable authority."⁷¹ All other things must be measured not only by the truth of the Bible but also by the norms of human reason. Olivi is appalled that a

⁶⁵ II *Sent.*, q. 16 (I, 337): "... Aristoteles etiam non hoc videtur ibi sentire, licet mihi non sit cura quid hic vel alibi senserit; eius enim auctoritas et cuiuslibet infidelis et idolatrae mihi est nulla, et maxime in iis quae sunt fidei christianae aut multum ei propinqua."

⁶⁶ *Ibid.*, q. 11 (I, 199).

⁶⁷ *Ibid.*, q. 16 (I, 355).

⁶⁸ *Ibid.*, q. 57 (II, 341): "... Si autem dicatur quod Averroes ponit primam, Super VIII Physicorum et alibi, et quod videtur eam trahere ex verbis Aristotelis: sciendum quod similiter ponit unum intellectum in omnibus nobis et fuit Saracenus, Aristoteles autem paganus et idolatra, teste Augustino . . ." In this passage Olivi does go on to add, in passing, that the view in question is presupposed rather than proved by Aristotle.

⁶⁹ *Ibid.*, q. 31 (I, 548): "Quod etiam Aristoteles hoc non senserit videtur licet eius auctoritas mihi valde displiceat."

⁷⁰ *Ibid.*, p. 31 (I, 551): "Multae etiam aliae viae sunt quibus ex Aristotele et eius commentatore posset trahi propositum; sed omitto tam ratione brevitatis quam horrore suae auctoritatis."

⁷¹ II *Sent.*, q. 16 (I, 343): "... christiano viro sola scriptura et fides catholica debet esse in robur et culmen auctoritatis . . ."

number of his contemporaries blindly follow Aristotle "as the infallible measure of all truth"⁷² and as "the god of this world",⁷³ accepting his *dicta* with the same blind faith shown toward the Bible even when some of these views contradict the faith itself. There is at least an explanation why Aristotle himself was so misled. He had to base his thought on reason alone, and thus erred in a number of places where knowledge of the Bible might have saved him. It is nothing short of amazing, however, that Christians — especially those who claim to be specialists in the field of Christian theology — should ignore the Bible and blithely follow Aristotle into precisely the same errors.⁷⁴

It is worth noting that, even though Olivi often seems to equate "the philosophers" with "natural reason unaided by revelation", he is not really willing to identify Aristotle or any other pagan philosopher as the voice of natural reason. In many cases their view can be shown to be not only unchristian but irrational as well. Sometimes they simply presuppose that which needs to be proved.⁷⁵ Thus it is doubly unfortunate when Christians presuppose these things in turn simply because Aristotle said them.⁷⁶ In such cases, their methodology smacks of idolatry and their conclusions may be incorrect.

In short, Olivi opposes the *cult* of Aristotle; yet he might have had less occasion to rail at that cult had he not found himself discussing several issues in which Aristotelian philosophy seemed to challenge the Christian faith itself. This observation brings us to the second factor: Olivi feels impelled to take a definite stand on certain issues in which Aristotelian philosophy seems to lead to clearly unchristian conclusions. Thus he strongly opposes, not only the attitude with which contemporaries read Aristotle, but several specific Aristotelian views. There is no reason to discuss all of these issues.⁷⁷ A few will serve to illustrate the sort of

⁷² *Ibid.*, q. 27 (I, 479): "... regula infallibilis omnis veritatis..." See *Letter*, f. 52: "... quasi principiis inerrabilibus..."

⁷³ *II Sent.*, q. 58 (II, 482): "tanquam deo huius saeculi; *Ibid.*, q. 54 (II, 269): "... non est ipse nobis deus seu auctoritas..."

⁷⁴ *II Sent.*, q. 6 (I, 131): "Et quidem non miror de homine pagano et idolatra et ab idolatris genito et nutrito. Sed hoc est nimis stupendum quod Christiani, professione theologi et etiam religiosi, sic aestimant et quasi adorant dicta istius in iis quae ad materiam theologicam vel metaphysicam seu supernaturalem spectant."

⁷⁵ *II Sent.*, q. 7 (I, 145), speaking of the philosophers in general: "Probationes autem ad hoc adducere non videntur curasse, quia hoc pro primo principio videntur fere ubique supposuisse." *Ibid.*, q. 57 (II, 354): "Aristoteles dictum suum non probet, sed solum supponat."

⁷⁶ *II Sent.*, q. 57 (II, 361): "... dicta eius sunt prima principia multis christianorum, sicut et verba Christi..."

⁷⁷ See Orazio Bettini, "Olivi di fronte ad Aristotele," *Studi Francescani*,

gap Olivi saw between Christianity and Aristotelian philosophy and the degree of threat posed to the former by the latter.

The first of these issues is that of whether the world has existed from eternity or, what is more to the point for a Christian, whether natural reason suggests that the world has existed from eternity. These questions were hardly unfamiliar to theologians of Olivi's day. Those members of the Parisian arts faculty who were most smitten by the interpretation of Aristotle advanced by Averroes and other Arabic philosophers apparently found the idea of an eternal world to be rationally convincing, while Bonaventure and others insisted that it was absurd. Thomas Aquinas took a middle position, arguing that the eternity of the world can neither be proved nor disproved by purely rational speculation, although we know from revelation that the world is not eternal. Stephen Tempier's condemnation of 1277 tried to settle the matter by damning the so-called Averroist position, but discussion continued.

Olivi's treatment of the question is an excellent index of his attitude toward the *philosophi mundani*.⁷⁸ As one might expect, he answers the first of these questions in the negative. The world has not existed from eternity. Here he merely has to cite the Bible.⁷⁹ In regard to the second question regarding the rational virtues of the view, he predictably follows the Bonaventuran approach in denying the possibility of an eternal world, furnishing a series of arguments which explore the difficulties implied by the idea of an infinite duration and refute opponents' claims to support from Saint Augustine and other *auctoritates*. Olivi does his best to demonstrate that the opinion which he opposes is both rationally untenable and unsupported by the *sancti*.

One thing he does not deny: The view is held by the "worldly philosophers". Olivi attributes it to Aristotle himself. The most interesting thing about Olivi's treatment of their opinion is that he views it, not as an isolated aberration within an otherwise sound philosophy, but as part of a larger system which is based upon nonchristian principles and leads to nonchristian conclusions.

LV (1958), 176-97 for a discussion of nine such issues. Bettini deals largely with the purely philosophical aspects of these issues.

⁷⁸ The accuracy of his evaluation is another matter. The *philosophi mundani* are equated with "Aristotle and his followers," which raises the question of whether Aristotle really *did* say what Olivi thought he said. While it seems obvious that Olivi, like his contemporaries, was inaccurate in this respect, the inaccuracy has little relevance for this investigation, since it is Olivi's attitude toward Aristotle and the other pagan philosophers which is in question, not the objective truth or falsity of his interpretation.

⁷⁹ II *Sent.*, q. 5 (I, 95).

Nor is it surprising, since the error of the eternity of the world as posited by the philosophers of the world is based upon an impious foundation. As can be seen in Aristotle and his followers, it is especially founded upon three wicked notions. The first is that God does whatever he does necessarily, so that he could do it in no other way . . . The second is that for everything which acts on some occasions but not on others (or acts in a certain way on some occasions but not on others) there must be some cause why it does so.⁸⁰

In other words, there must be some cause which determines that the thing in question will or will not act (or act in a certain way). Aristotle felt that the eternal movement of the heavens was the cause of such movement in all inferior causes.

The third [wicked foundation] is the idea that things emanate from the first cause in such a way that eternal and incorruptible things depend upon it more immediately than temporal and corruptible things; and among eternal things intellectual substances are more immediately related to it than corporeal substances; and among intellectual substances those which are supreme and more similar to it are more immediately related to it, these being so like the first cause that they considered and called them gods and hence they say that no inferior thing can be done by the first cause except through the intermediate superior substances.⁸¹

Olivi observes that these views amount to an attack on divine and human freedom.

For if God does all things necessarily and cannot act otherwise, all fear and reverence, friendship and gratitude, hope and imprecation are useless and He has no real lordship over the course of things. And if freedom to choose between opposites is taken from Him, even more is it taken from all those creatures beneath Him.⁸²

⁸⁰ *II Sent.*, q. 5 (I, 96): Nec mirum, quia error de aeternitate mundi, prout a philosophis mundi est positus, habet fundamentum impium; prout enim patet ex dictis Aristotelis, et sequacium eius, praecipuum fundamentum sumpserunt ex tribus nefariis. Primum est quod Deus quicquid agit necessario agit, ita quod nullo modo posset aliter agere nec amplius aut minus, loquendo de immediata actione ipsius. Secundum est quod omnium quae aliquando agunt, aliquando non agunt aut quae aliquando sic agunt, aliquando vero non sic oportet reddere causam quare aliquando sic, aliquando vero non sic."

⁸¹ *Ibid.*, q. 5 (I, 97): Tertium est, quia ut visum est eis, res per ordinem habet necessario emanare a prima causa, ita quod res aeternae et incorruptibiles immediatius sunt et dependent ab ea quam res temporales et corruptibiles; et inter aeterna intellectuales substantiae immediatius sunt ab ea quam substantiae corporales; et in intellectualibus illae quae sunt supremae et magis ei similes immediatius sunt ab ea illique in tantum similes quod eas deos putaverunt et vocaverunt; et hinc est quod ut dicunt, nullum inferiorum potuit esse a prima causa nisi per intermedias substantias superiores; videnturque sibi per hoc mirabilem ordinem ac concordiam et concatenationem ponere in toto universo.

⁸² *Ibid.*, q. 5 (I, 97): "Si enim Deus omnia quae facit necessario facit nec aliter agere aut non agere potest: omnis timor et reverentia, amicitia et

From these ungodly roots spring a whole series of wicked conclusions in which "practically all the articles of the Catholic faith are denied in a single breath".

For [this position] denies original sin, since it posits no first man, and thus denies the work of redemption. It posits either unity of the intellect, transmigration of souls through diverse bodies, or infinite souls, many of which remain eternally separate from the body. Moreover, since it assumes an eternal duration for the world and for human procreation, it clearly allows man no felicity except in this life.⁸³

The implications of this position are so unsettling that Olivi gives it eschatological significance. Wise men, he says, "believe that it is one of the principal articles introductory to the infernal sect of Antichrist".⁸⁴

gratia, spes ac deprecatio seu imploratio frustra habetur ad eum nihilque veri domini habet in rebus; et ex quo ab eo libertas in opposita tollitur, multo magis ab omnibus quae sunt sub ipso; ex quo iterum vorago infernalis impietatis consurgit, sicut in materia de libertate voluntatis humanae est abunde monstratum."

⁸³ *Ibid.*, q. 5 (I, 98): "Sicut autem habet impium fundamentum, sic habet et processum, quia omnes aut fere omnes articulos fidei catholicae uno flatu abnegat et de medio tollit; tollit enim peccatum originale, quia nullum primum hominem ponit ac per consequens tollit totum opus redemptionis; ponit etiam aut unitatem intellectus aut revolutionem earundem animarum per diversa corpora aut infinitas animas et plures earum in aeternum manere separatas a corpore; et cum cursum istius saeculi et humanae generationis ponat in aeternum manere; patet quod nullam felicitatem statuit homini nisi in vita ista." This concatenation of ideas is not peculiar to Olivi. See, for example, Bonaventure's *Collationes in Hexaemeron* (München: Kösel-Verlag, 1964), Collatio III (pp. 244-46) and Collatio VII (p. 268). Both cover some of the same ground, citing such errors as the eternity of the world, the unity of the intellect, lack of any notion of reward and punishment after death, limitation of God's knowledge to himself, denial of divine prescience and providence, and fatalism. See also Collatio VIII of the *Collationes de donis Spiritus Sancti* in *Opera* (Quaracchi: Collegii S. Bonaventurae, 1882-1902), Vol. IX, where Bonaventure cites the errors of fatalism, the eternity of the world and the unity of the intellect.

The final error in Olivi's catalogue, negation of eternal felicity, is often mentioned in the course of Olivi's works. See *De perf. evang.*, q. 2 (135): "Aristoteles in hac parte non sit multum sequendus, cum aliter loquatur de felicitate quam fides nostra, et pro eo quod non loquitur nisi de felicitate, quae potest esse in hac vita." Although Aristotle saw that contemplation was the ultimate goal, he saw it as contemplation of this-worldly truth. See *Ibid.*, q. 1 (437) and q. 2 (130). Moreover, since his study was not informed by divinely bestowed *caritas*, it was a matter of what Olivi, following Bernard, calls *curiositas*. See *Ibid.*, q. 2 (127).

⁸⁴ *Ibid.*, q. 5 (I, 98): "... credunt enim quod hic sit unus de principalibus articulis introductorius infernalis sectae antichristi." Olivi goes on to argue that these errors are indicated by the mysterious number 666 in Rev. 13:18. This passage is not the only one in which pagan philosophy takes its place within the great eschatological drama. *Quodlibet* II, q. 5, f. 12r also interprets Aristotle in the light of Rev. 13, while his commentary on Revelations, Bibliotheca Angelica, Rome, Cod. 382, f. 67a-c interprets him in the light of Rev. 9:1. Nor is Olivi unique in this regard. Bonaventure offers the same interpretation of Rev. 13:18 in Collatio VIII of the *Collationes de donis Spiritus Sancti* and refers to Rev. 9:1 in the course of his attack on Aristotle

Thus we see a situation in which Olivi speaks resolutely because he feels that the question has important implications for the Christian faith. Moreover, we see him looking beyond the particular opinion rejected to place it in the context of an essentially nonchristian world view, one closely connected in his mind with the writings of the "worldly philosophers". Here he finds a philosophical issue worth arguing about. Note, however, that he argues against it, not only by invoking the Bible and Saint Augustine, but also by attempting to refute it rationally.

Let us take another question, that of the difference between *tempus* and *aevum*. The question may seem to lack any earthshaking theological implications, but Olivi announces that they are there nonetheless. The problem grows out of the fact that the scholastics posited two different types of creature, one incorruptible and the other corruptible. The former

in Collatio VI of his *Collationes in Hexaemeron*. For further consideration of this matter see Ferdinand Delorme, "Saint Bonaventure et le nombre apocalyptique 666," *La France Franciscaine*, VIII (1925), 519—25; Tullio Gregory, "Eschatologia e Aristotelismo nella scolastica medioevale," in *L'Attesa dell'età nuova nella spiritualità della fine del medioevo* (Todi: Presso L'Accademia Tudertina, 1962), pp. 262—82).

Mention of Gregory calls for reference to an important aspect of the problem which must receive insufficient attention in this essay. He argues that the hostility shown by Bonaventure, Olivi and other later thirteenth-century Franciscan theologians toward Aristotelianism represents a confrontation between the older, eschatologically oriented theological method and the newer, more nonhistorical, dialectical method. As Christian theologians tried to come to terms with Aristotle, they turned to an order which was more logical than temporal. The Franciscans led the fight against this change. The same theme is stressed in the articles of Ernst Stadter, who heavily underscores Olivi's awareness of the centrality of *Heilsgeschichte* for the Christian faith. See "Das Glaubensproblem in seiner Bedeutung für die Ethik bei Petrus Johannis Olivi, O.F.M.," *Franziskanische Studien*, XLII (1960) 225—96; „Das Problem der Theologie bei Petrus Johannis Olivi, O.F.M.," XLIII (1961), 113—70; "Die spiritualistische Geschichtstheologie als Voraussetzung für das Verständnis von fides und auctoritas bei Petrus Johannis Olivi," *Franziskanische Studien*, XLVIII (1966), 243—53.

One can hardly deny that history plays an important role in Olivi's view of the Christian faith, and one should be grateful to Stadter for the thorough job he does of showing that importance. In fact, the confrontation between Aristotle and *Heilsgeschichte* is patent in the passage just cited from Olivi's sentence commentary. The Aristotelian worldview as depicted by Olivi seems to contradict not only the Christian view of history as the arena of God's purposeful activity but also the Christian view of God as lord of history, working freely and directly within it to fulfill His aims. Nevertheless, one must be careful to avoid overstatement of this point. Olivi was an indefatigable producer of Bible commentaries, but he was also a true son of the scholastic movement who was perfectly willing to utilize the method of the *quaestio* and to record his views in the form of the sentence commentary or *quodlibet*. The whole debate regarding his Joachimite tendencies is ample evidence of his interest in the historical dimension, but Olivi does not seem overly worried about a possible tension between this dimension and the logical (rather than historical) order and method utilized by him in several of his works.

category includes the intellectual substances and the heavenly bodies, while the latter includes all of the beings encountered by us in our day-to-day earthly existence. When we attempt to apply the idea of time to that latter group, we seem to know precisely what we mean. Here we are obviously in a world of succession — of before and after — where things are generated and corrupted. When we turn to the world of incorruptible things, the idea of time seems less applicable; yet these beings cannot be eternal in the sense that God is eternal. Thus the scholastics introduced a third category to fit in between time and eternity, *aeviternity*.

Nevertheless, one still had to define the relationship between *tempus* and *aevum*. Bonaventure argues that the difference lies in the fact that time implies a succession of before and after with variation, while *aevum* implies a succession without variation.⁸⁵ Thomas Aquinas, finding it hard to imagine true succession without variation, decides that there is no succession of before and after in *aevum*, although *aevum* differs from eternity in that *prius* and *posterius* can be joined (*coniungi*) to it.⁸⁶

Olivi cites both positions and declares unequivocally for the Bonaventuran view. He offers no less than six arguments against the Thomistic position, but the reader is struck with the extent to which his attack is pervaded by a single theme. That theme is Olivi's overriding concern that Thomas' formulation provides no clearcut distinction between eternity and *aeviternity*. Thus it provides no satisfactory distinction between God and the angels in this respect. In short, the Thomistic solution is unacceptable because it fails to draw a clear line between God and his creatures.

The Bonaventuran position can hardly be flawed on this score, but it is not thereby unquestionable. Thomas criticizes it because it does not clearly distinguish between *tempus* and *aevum*. Olivi cites this criticism and acknowledges its force.

When it is said that any successive measure is the same as time since no formal difference between the two can be found, I admit that I can offer no formal difference. Nevertheless, I do not thereby judge it necessary to acknowledge that *aevum* is not successive, for the notion that *aevum* is not successive involves greater, more dangerous and (I believe) more evident problems than the notion that it is of the same species as *tempus*. The view which involves smaller and less evident problems should not be avoided by accepting one with greater and more obvious problems, as some people have done in this matter.⁸⁷

⁸⁵ II *Sent.*, d. 2, pars 1, art. 1, q. 3 in *Opera*, Vol. II.

⁸⁶ *Summa theologiae* (Taurini-Romae: Marietti, 1948), I, q. 10, art. 5.

⁸⁷ *Ibid.*, q. 9 (I, 177): "Ad id autem quod additur quod omnis mensura

Thus, even though Olivi cannot defend the Bonaventuran position from all attacks, he will unhesitatingly accept it if the alternative is a position which compromises the divine transcendence.

Olivi offers his own opinion as to why "some people" have adopted the latter, more dangerous position.

I believe that they were deceived by the pagan philosophers, who were forced to posit simple duration in the intelligences because they thought that they issued necessarily and eternally from God . . . Moreover, as is apparent to anyone carefully studying their views and particularly those of Aristotle's followers, they felt that the operations of these intelligences were intrinsic, invariable, eternal and even consubstantial with them. Nor is this surprising, since they thought them to be gods of a sort, although inferior to the highest God. Having accepted these affirmations — affirmations which negate the entire catholic faith in the most direct fashion — they were driven to hold that the duration of these intelligences was both simple and actually infinite. These [modern Christian philosophers], accepting those views of the pagan philosophers which did not seem to conflict with the faith, do not seem to have seen the contradiction involved in accepting one part of a view while rejecting another part which openly contradicts the faith.⁸⁸

Let us take one more closely related problem, that of whether each angel is a separate species. Although the problem seems to be essentially theological rather than philosophical, the medieval understanding of angels as separate intelligences assured that angelology would become

successiva sit idem quod tempus, quia nulla differentia formalis inter ea inveniri potest, fateor me nescire dare differentiam formalem. Nec tamen propter hoc tenendum mihi esse iudico aevum non esse successivum, quia maius et periculosius inconveniens est et, ut credo, evidentius tenere aevum non esse successivum quam tenere quod sit eiusdem speciei cum tempore; propter hoc autem minus inconveniens et ignotius tollendum non est concedendum maius et manifestius, sicut quidam in proposito fecerunt; haec enim est summa ratio, quae movet solemniore huius positionis ad tenendum quod aevum non sit successivum."

⁸⁸ Via autem philosophorum paganorum, quantum credo, decepit istos; illi enim coacti fuerunt ponere in intelligentiis durationem simplicem, quia posuerunt eas exire a Deo necessario et aeternaliter et eas impossibile destruere et habere quandam rationem universalitatis in sua essentia seu totum ambitum suae speciei, qui comprehendit, quantum est de sui ratione, totam aeternitatem tam a parte ante quam a parte post; universale enim secundum rationem suae universalitatis excedit omne tempus et omnem locum. Posuerunt etiam in eis operationes intrinsecas invariabiles et aeternas, immo etiam eis consubstantiales, sicut apparet inspicienti subtiliter dicta eorum et maxime sequacium Aristotelis; nec mirum, quia posuerunt eas tanquam deos, licet inferiores Deo summo. Istis autem positis quae directissime evacuant totam catholicam fidem necessarium fuit tenere durationem earum esse simul simplicem et actu infinitam; isti autem in parte dicta eorum accipientes, pro quanto videlicet visa sunt eis non repugnare fidei, visi sunt non attendisse quod contradictio implicabatur in accipiendo partem dicti cum abiectione partis alterius quae fidei aperte contrariabatur."

one of the important philosophical battlegrounds. Here again, Olivi finds himself opposing the Thomistic view, which he again identifies with the pagan philosophers.

To the first question it must be said that although some people, following the pagan and Saracen philosophers on this matter, have said and continue to say that each angel is a species in himself, . . . nevertheless I, following the sounder and more catholic teachers in this matter, believe that this position is not only contrary to reason and truth but dangerous for the faith.⁸⁹

The principal danger lurking in Thomas' formulation is the one already seen in the last question: The distinction between God and his creatures is compromised. Olivi closes his critique with a brief summary which goes to the heart of the issue.

How dangerous this error is can be gathered from what has been said. It posits in a creature eternity (according to before and after), immeasurable locality or presence, and immeasurable simplicity. It posits that there is no particular accident in these creatures, that there is no receptivity in them, that whatever is in them is substantial to them, and that as far as nature, grace and glory are concerned they infinitely transcend the soul of Christ and all other souls . . . And if one carefully studies the views of the philosophers regarding the plurality of gods, he will see that that error contains all these others within itself.⁹⁰

The examples could be multiplied, but these three are sufficient for our purposes. In each case Olivi is willing to stand against an opinion which seems to threaten the faith. In the last two cases the opinion primarily threatens God's transcendence, while in the first it threatens divine and human freedom. The threat can hardly be localized, however, for in each case Olivi tries to show the opinion must be seen as one component part of a more embracing, essentially nonchristian world-

⁸⁹ *Ibid.*, q. 33 (I, 596—97): "Ad quaestionem primam dicendum quod licet quidam sequentes in hac parte paganos philosophos et Saracenos dixerint et dicant quod quilibet angelus comprehendit totam suam speciem secundum totum suum ambitum, . . . sequendo tamen doctores in hac parte saniores et magis catholicos credo quod haec positio non solum est rationi et veritati contraria, sed etiam in fide valde periculosa."

⁹⁰ *Ibid.*, q. 33 (II, 604): "Ex omnibus autem praedictis satis colligi potest quam periculosus sit iste error, quia ex hoc ponitur in creatura immensa aeternitas secundum ante et post, immensa localitas seu praesentialitas, immensa simplicitas et quod nullum in eis est accidens particulare et quod in eis nulla passio vel receptio et quod quicquid est in eis est eorum substantia et quod quantum ad naturam, gratiam et gloriam transcendunt in infinitum animam Christi et omnem aliam animam . . . Et si quis bene inspexerit omnia dicta philosophorum de pluralitate deorum, recte ille error omnia illa in se includit." Olivi goes on to note that the argument used by his opponents would, if applied to the human intellect, lead to the Averroist conclusion that there is a single intellect in all men.

view which he attributes to "the pagan philosophers". Olivi is acutely aware that Aristotelian philosophy was born in an alien religious environment and he is inclined to believe that Aristotle came to terms with that environment in such a way as to produce a philosophy with, among other things, decidedly polytheistic implications. Thus it is hardly surprising that a consistent application of Aristotelian philosophy will lead the Christian straight into heresy. Bettoni remarks that Olivi's God is simply "the God of the catechism".⁹¹ Olivi would have preferred to call Him the God of the Bible and would have agreed with Pascal that the God of Abraham, Isaac and Jacob is not the God of the philosophers.

All of this does not mean that Aristotelian philosophy is useless for the Christian. As we have seen, Aristotelian philosophy contains some very valuable insights. Olivi was, after all, willing to back Saint Thomas and Aristotle against the leading theologians of his own order on the issue of *rationes seminales*.⁹² Those aspects of Aristotelian philosophy which do not make statements about God and the world (e. g. his logic) are particularly valuable. In short, Aristotle can be imbibed piecemeal. Various opinions can be explored by the Christian, tested against reason and the faith, then applied if they pass the test. It is to be expected that a number of his views will contribute to our knowledge, since Aristotle was a very intelligent man. Nevertheless, the idea of a synthesis between Aristotelian philosophy as a whole and Christianity as a whole is quite out of the question.

Thus Olivi is willing to do a bit of carping at those who deify Aristotle and he is willing to take a stand on aspects of philosophy which might lead to heresy. It is less obvious but nevertheless true that there is yet a third context in which he finds himself arguing about philosophy. Here the issue is not the relevance of philosophy to the faith but rather its lack of any such relevance. In order to understand his predicament we must re-examine his basic approach to philosophical questions. In such matters, Olivi says,

I have recited various opinions, asserting none of them, except that sometimes I present a preponderance of arguments in favor of the opinion which contradicts the one common to certain masters, but do not respond to these arguments. Thus I seem to imply that I approve of that part more, although in most of these cases I say that those opinions are to be examined with caution rather than asserted. I have recited those that seemed to present truly perplexing problems which I myself could not solve, and

⁹¹ *Dottrine*, p. 247.

⁹² *II Sent.*, q. 31.

which seemed to me to be no less suitable for explaining and defending the faith than other views. On the other hand, I have been fearful that certain familiar philosophical opinions contain hidden snares and obscure, knotty dangers to the Catholic faith, and I have suspected (and still suspect) that these are henceforth to be promulgated by the sowers of error.⁹³

The latter sort of opinion must, of course, be opposed by the theologian. We have seen Olivi engaged in doing precisely that. The former, more innocuous opinions also have their uses, however, and Olivi is willing to defend the value of investigating them.

I say that it is useful to write and recite contrary opinions without stubborn approval of any particular alternative so that it will become apparent that neither is held as the faith and that neither is unshakably held; and also so that, through comparison of these opinions, the understanding of the advanced reader (as well as those upon whom it is incumbent to advance) can be exercised more fully; and finally so that we can be led to the defense and elucidation of the faith in several ways.⁹⁴

The first point in this triad is an important one for Olivi and he repeats it on several occasions.⁹⁵ Discussion of conflicting opinions performs an important function insofar as it helps to separate the faith from that which functions in a merely ancillary role, the unquestionable from the questionable, the divine from the merely human. It can do so, however, only if none of the opinions is stubbornly defended. If such a defense *is* attempted, the line of demarcation will be obscured.

This is not to say that a man can have no opinions in such matters. It is merely to say that a distinction is in order between belief in the

⁹³ *Responsio* II, p. 405: "De omnibus enim praedictis et quibusdam consimilibus eis annexis, recitavi opiniones varias, nullam earum asserens, nisi quod ad illam partem, quae communi opinioni quarundam repugnat, aliquando plures rationes adduco non respondens ad eas, in quo videor innuere quod illam partem plus approbo, quamvis in plerisque earum dicam eas esse cavendas et examinandas potius quam asserendas. Ego quidem idcirco recitavi eas, quia videbantur in se habere difficultates merito dubitabiles et quas ego nescirem dissolvere, et videbantur mihi ad fidem nostram explicandam et defendendam non minus accommodatae quam caeterae; et e contrario, in quibusdam opinionibus philosophicis usitatis occultos laqueos, et quaedam perplexa et nodosa pericula fidei catholicae timui, et vehementer suspicatus sum, et adhuc suspicor illa in posterum ab errorum seminariis propalanda."

⁹⁴ *De obitu*, p. 269: "Dico etiam utile esse contrarias opiniones conscribere et recitare, absque tamen assentione pertinaci, ut ex hoc plenius appareat quod neutrum tenetur ut fides et quod neutrum immobiliter asseritur et ut etiam, ex mutua eorum collatione, provectorum aut provehendorum intelligentia possit plenius exerceri et ut ad defensionem et elucidationem fidei viis multiplicibus possimus manuduci. Intelligo autem de illis opinionibus quae videntur posse subancillari seu subservire defensionibus aut manducti-onibus fidei nostrae."

⁹⁵ See *Letter*, f. 52r—v; *Impugnatio xxxvii articulorum*, in *Quodlibeta*, ff. 43v and 53r.

sense of simple opinion (*credulitas simplicis opinionis*) and belief in the sense of a faith-commitment (*credulitas fidei*).⁹⁶ The former demands an openness on our part which the latter does not, and when that openness disappears we are on the road to theological sects and schisms in which various groups oppose one another saying "I am of the party of Paul", "I of Aristotle", and "I of Thomas".⁹⁷

Thus the Christian philosopher is under an obligation not to be too dogmatic in such matters. The reverse side of this coin is, however, that he has a certain latitude in these matters, since the prohibition against dogmatism applies to his superiors as well as to himself. An imperious insistence upon uniformity can be even more insidious when it issues from an official committee or a powerful superior than when it comes from an individual theologian speaking for himself alone, for such official pronouncements have a way of cloaking questionable views in a mantle of undeserved authority, thereby encouraging unsuspecting Christians to accept them as a part of the faith itself.

Such is, of course, precisely what Olivi saw happening to himself in 1283 when a committee of seven scholars acting on behalf of his order forced him to ascribe to a series of philosophical and theological views. In his 1285 response to the commission Olivi discusses not only the orthodoxy of the disputed views but the question of whether the commission had the right to demand acquiescence on all of these views.

Thus dearest fathers . . . although I am an abominable speck of a man, not only in respect of God, but also in respect to you, and although I am nothing or (if such can be said) less than nothing, nevertheless you should not demand such obedience from me or recommend that it be demanded, as if I should subject myself entirely to your opinions — however solemn and worthy of reverence they might be — as to the words of the Catholic faith or the holy scripture or to the determination of the Roman pontiff or a general council, unless it has been demonstrated that your opinion is that of the Catholic faith and sacred scripture.⁹⁸

⁹⁶ *Letter*, f. 52v.

⁹⁷ *Ibid.*, f. 52v.

⁹⁸ *Responsio* II, pp. 131—32: "Hinc est, carissimi patres, mihi valde venerabiles, et merito reverendi ac metuendi, quod quamvis ego abominandus homuncio, ne dicam, respectu Dei sed etiam respectu vestri, sim nihil et, si dici queat, minus quam nihil, ex hoc tamen a me obedientiam talem exigere aut exigendam consulere non debetis, ut dictis vestris, quamvis solemnibus, quamvis reverendis, tanquam catholicae fidei, aut velut Scripturae sacrae eloquiis, aut tanquam determinationi Romani Pontificis vel generalis concilii omnino debeam subdi, nisi enodatione luce clariori primum innotescat vestrum dictum esse vere dictum catholicae fidei et Scripturae sacrae." Note the similar statement in *De obitu*, p. 269.

Olivi argues in another work that such treatment violates not only his liberty but his conscience as well, for "although these things do not involve the faith, I should lie for no man, especially in matters of doctrine". In such cases, he promises, he will obey insofar as his conscience is not violated, but no farther.⁹⁹

Bettoni and others are somewhat disturbed by Olivi's attitude toward the commission. Bettoni sees in his words an intransigence oddly at variance with his protestations of humility.¹⁰⁰ In reality, they seem to reflect the predicament of a man trying valiantly to remain humble in a situation singularly uncondusive to humility, a situation in which he feels that his opponents, by persecuting him unjustly, have erred morally as well as philosophically.

Thus Olivi's harangues against Aristotle cannot lead him into the sort of coercive anti-Aristotelianism which would call for a total elimination of his views from Christian theology. Any attempt to eradicate Aristotelianism in favor of some other view would be almost as idolatrous as the attempt to deify Aristotle. There are certain specific issues to which he speaks in a recognizably unchristian manner. Here he must be avoided. In other contexts the floor should always be open to prudent discussion. Militant anti-intellectuals are no more palatable than militant Aristotelians. Olivi's feelings on the matter are strikingly shown in a remark with which he closes his discussion of the theological dangers lurking in a certain philosophical proposition about the human mind.

I shall develop the attack no further, but will leave it instead to the zealots of the Catholic faith. For although the philosopher-Sadducees say many horrible things about our rational nature, the Pharisees who zealously oppose them "do not have the zeal of God according to knowledge", as Paul says. For they oppose the Sadducees in such a way that they seriously impugn the spirit of Christ.¹⁰¹

⁹⁹ *Letter*, f. 52v.

¹⁰⁰ *Dottrine*, p. 45. Bettoni remarks that "trovarsi alle prese con un contraddittore, che inizia la discussione col dichiarare di essere disposto a pregarsi solo se lo si convincerà che le sue opinioni sono in contrasto con la Sacra Scrittura o con le decisioni del Magistero ecclesiastico, è una cosa indisponente." It suggests "un uomo cocciuto e poco disposto a prendere nella dovuta considerazione i vostri argomenti." Bettoni's comment seems to overlook the fact that the commission was not in the least interested in "discussing" the matter with Olivi. It simply wanted him to recant. Olivi's comments reflect, not his unwillingness to consider the arguments advanced by the commission, but his frustration at their refusal to hear *his* arguments.

¹⁰¹ *II Sent*, q. 51 (II, 125): "Cuius prosecutionem amplius non explico, sed zelatoribus catholicæ fidei eam relinquo. Quamvis enim Sadducei philosophi multa horribilia dicant de rationali natura, Pharisei tamen contra eos

Here the argument might be said to have come full circle, returning to its starting point. We are back to the spirit with which all study must be informed if it is to be useful, a spirit which can be sinned against by Aristotelian and anti-Aristotelian alike.

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zelantes, teste Paulo, "non habent omnino zelum Dei secundum scientiam"; sic enim zelant contra Sadducaeos quod spiritum Christi maxime impugnant."

VOLUNTARISM AND RATIONALISM IN THE ETHICS OF OCKHAM*

The prevalent interpretation of the ethical doctrine of William of Ockham maintains that he proposed a voluntaristic or positivistic theory of ethics. As an interpretive model, "voluntarism" implies that the moral order is relative and changeable subsequent to the free decrees of the divine will. The source of moral obligation is the absolute freedom and omnipotence of God. Consequently, moral laws do not depend upon the nature of things nor do ethical precepts have an internal necessity. The voluntaristic interpretation is apparent not only in the general studies of scholasticism,¹ but also in sustained and serious commentaries on the moral theory of Ockham.²

But Ockham's ethic also contains a conspicuous trace of rationalism. Scholars who are convinced that Ockham considers morality as a divine prerogative also admit that they find disturbing assertions of the natural law theory.³ Especially, studies devoted to Ockham's political writings frequently utilize the classifications of rationalism or natural law to

* This study is a chapter of my dissertation, submitted to the Graduate School of Loyola University, Chicago, Illinois.

¹ For example, Armand A. Maurer, C.S.B., *Medieval Philosophy (A History of Philosophy)*; New York: Random House, 1962), p. 286. "Ockham on the other hand, severs the bond between metaphysics and ethics and bases morality not on the perfection of human nature (whose reality he denies), nor upon the teleological relationship between man and God, but upon the obligation to follow the laws freely laid down for him by God." Gordon Leff, *Medieval Thought* (Baltimore, Maryland: Penguin Books, 1958), p. 289. "Morality for the first time lay simply with God's arbitrary decree; with God and His will synonymous there could be no way of judging right or wrong other than by the decrees of His will."

² For example, Anita Garvens, "Die Grundlagen der Ethik Wilhelms von Ockham," *Franziskanische Studien*, Band 21 (1934), p. 262. "Das Sittengesetz hat sein Fundament nicht in der Seinsordnung und damit im Wesen der Dinge und ihren Beziehungen zum Urheber allen Seins. Es ist lediglich Ausdruck des transzendenten, für uns Menschen unergründlichen Willens Gottes, dessen Entscheidungen für den Bereich des Sittlichen jederzeit verändert werden können." Also G. de Lagarde, *Naissance de l'esprit Laïque*, Vol. VI, *Ockham: La Morale et le Droit* (Paris: Presses Universitaires de France, 1946), p. 63. "Au terme de cette analyse, nous sommes donc convaincus du caractère arbitraire, irrationnel et totalement extérieur que prend la loi morale à l'égard de l'homme."

³ de Lagarde, *op. cit.*, p. 81. "Ainsi, la morale ockhamiste apparaît-elle comme un jeu alterné où le voluntarisme et le rationalisme se répondent curieusement." Also Francis Oakley, "Medieval Theories of Natural Law:

indicate the character of Ockham's moral theory.⁴ The interpretive category of "rationalism" designates an ethical doctrine in which moral laws are evident, necessary and grounded in the nature of things.

Many areas of Ockham's thought have been reconsidered in light of the textual studies of E. Hochstetter, Ernest A. Moody, Leon Baudry, Philotheus Boehner and others; but the ethics of Ockham remain largely unexplored. There are voluntaristic and rationalistic interpretations of Ockhamistic morality in print. The problematic state of the current evaluation of his moral theory indicates a serious and unanswered difficulty in the assessment of Ockham, the moralist. The texts of Ockham can be gathered to show his voluntarism, or rationalism, or both.⁵

Partially, the confusion which surrounds the moral theory of Ockham results from the use of inept but traditional categories of interpretation. This study will outline the typical evidence which is marshalled to "prove" Ockham's voluntarism or rationalism. It is somewhat easier to see the fundamental inadequacy of these categories when they are juxtaposed. The considerations which militate against calling Ockham a voluntarist or rationalist will suggest, in a preliminary way, a more comprehensive and accurate perspective on his moral doctrine.

I. The Source of Moral Obligation

A. *Voluntarism.* Ockham asserts that the divine will has an absolute power to place moral obligation. Ockham asks the question: Can God

William of Ockham and the Voluntarist Tradition," *Natural Law Forum*, Vol. VI (1951), p. 70. "Again, as was the case with his political writings, so also with his more purely philosophical, it seems impossible to extract from them a coherent interpretation of the nature of morality and hence a clear doctrine of natural law. In both we find, in intimate juxtaposition, the rationalist and voluntarist theories, and no peace can be found to grow between these antinomies."

⁴ For example, Max A. Shepard, "William of Occam and the Higher Law," *The American Political Science Review*, Vol. 26, No. 6 (December, 1932), p. 1009. "We constantly find *jus naturale* and *ratio naturalis* linked together, which shows us that Occam held to the time-honored ancient and medieval tradition of eternal, immutable principles of nature, discoverable by the use of reason." Also, Philotheus Boehner, O.F.M., "Ockham's Political Ideas," *The Review of Politics*, Vol. 3 (1943), p. 448. "The only restriction of the power of the Pope was imposed by the divine law and the immutable and indispensable natural law. In other words, things which were directly forbidden by God and the natural law to all human beings without exception, because they are illicit in themselves, could not be commanded by the pope . . ."

⁵ One commentator; namely, Frederick Copleston, S.J., claims that Ockham's texts contain two independent systems of ethics. "In this sense, then, one is probably justified in saying that two moralities are implicit in

order evil to be done? The resolution of this query is that whatever God commands is *de facto* good.⁶ The term "evil" simply indicates an act within the power of the will whose opposite is required by a superior.⁷ Given the omnipotence of God, it follows for Ockham, that God could command any act which is not a manifest contradiction. Ultimately, acts are morally required or prohibited in terms of the absolute and free will of God.

The power of the divine will regarding the ontological and moral order is absolute. Ockham chooses the most drastic examples possible to show that moral obligation is freely constituted by the divine wish. Theft, adultery, and even hate for God are presently evil because they fall *sub precepto divino*. Tomorrow, these same acts could be obligatory and meritorious since the divine precept could change.⁸ Moreover, "if someone should love God and should perform all the deeds acceptable to God, God could annihilate him without any injustice; so that after such works, God is able to refuse eternal life to him, and give eternal punishment, without injustice".⁹ Therefore, both the means and the end of a moral life are contingent upon the free will of God.

Ockham's teaching; namely, an authoritarian ethic and a 'lay' or non-theological ethic." *A History of Philosophy*, Vol. III, Part I, *Ockham to the Speculative Mystics* (Westminster, Md.: The Newman Press, 1963), p. 120.

⁶ *Sent.*, I, d. 47, q. 1, f; "Circa secundum dicerent illi qui vellent tenere primam opinionem jam dictam; quod deus potest praecipere malum non tamen male, et potest praecipere injustum non tamen injuste. Alii dicerent quod sicut haec est impossibilis 'Deus praecipit aliquid injuste sive male', ita haec est impossibilis 'Deus praecipit injustum sive malum.' Et ideo loquendo deberet dicere quod deus non potest praecipere malum propter quod illa distinctio quae ponit quod deus potest praecipere malum non manens malum, sed non potest praecipere malum manens malum."

Except where noted, quotations from the *Commentary on the Sentences* are taken from the Lyons edition, 1496, and statements from the *Quodlibetal Questions* are taken from the Strasbourg edition, 1491.

⁷ *Ibid.*, d; "Ad secundum concederent isti quod idem actus est bonus et malus; sicut idem actus est justus quia fit ab uno juste et injustus quia fit ab alio injuste. Unde si ab aliquo superiore idem praecipitur uni subdito et alteri prohibeatur, ne fiat. Si uterque illorum faciat illud idem opus — idem erit justum quia fit ab uno obediente praecepto superioris et erit injustum quia fit ab alio transgrediente praeceptum superioris."

⁸ *Sent.*, II, q. 19, o; "Ad aliud dico quod licet odium dei, furari, adulterari habeant malam circumstantiam annexam et similia de communi lege, quatenus fiunt ab aliquo qui ex praecepto divino obligatur ad contrarium; sed quantum ad esse absolutum in illis actibus possunt fieri a deo sine omni circumstantia mala annexa. Et etiam meritorie possunt fieri a viatore si caderent sub praecepto divino sicut nunc de facto eorum opposita cadunt sub praecepto divino."

⁹ *Sent.*, IV, q. 3, q; "Ad secundum, dico quod pena debetur quia deus sic ordinavit; quia sicut Deus creat creaturam quamlibet ex mera voluntate sua, ita ex mera voluntate sua potest facere de creatura quidquid sibi placet. Sicut enim si aliquis diligeret Deum et faceret omnia opera deo accepta, potest eum Deus annihilare sine aliqua injuria, ita sibi post talia opera potest

The categorical obligation of morality is to obey the divine lawgiver. Thus, Ockham categorizes the love of God as the only act which is necessarily good and as a necessary ingredient of every good action.

Thirdly, I maintain that a necessarily virtuous act, in the sense explained above, is an act of will, since the act by which God is loved above all and for His own sake is such an act. For this act is virtuous in such a way it cannot be vicious, nor can this act be caused by a created will without being virtuous. First, because everyone is bound (according to time and place) to love God above all, and consequently this act cannot be vicious; secondly, because this act is the first of all good acts.¹⁰

To love God means to love what God wants to be loved and to hate what God wants to be hated. As the ultimate end, God is the only object which should be loved and enjoyed for His own sake. Everything except God can be used as a means to God; every created effect should be ordered to the Creator.¹¹ The final end — God — can justify any means. Love and obedience to God above all is the fundamental and primary moral obligation.

B. *Rationalism*. Ockham maintains that the source of moral obligation is the judgement of Right Reason. A precept is not morally binding upon a moral agent until a conscientious judgment considers the precept to be true. "It is impossible that some act of the will elicited against conscience and against the dictate of Right Reason, whether right or erroneous, be virtuous."¹² Thus, all moral obligation is experienced as consequent to the primary requirement that a person act in a manner consistent with the judgments of his own intellect. And a person must conform his actions to the dictates of Right Reason for the sake of Right Reason. "It is confirmed, because no act is perfectly virtuous unless the will, through its act, should will what is dictated by Right Reason, because of this, that it is dictated by Right Reason."¹³

non dare vitam aeternam, sed penam aeternam sine injuria. Et ratio est, quia Deus nullius est debitor et ideo quidquid facit nobis, ex mera gratia facit. Et ideo ex hoc ipso, quod Deus facit aliquid, iuste factum est. Exemplum, Christus nunquam peccavit et tamen fuit punitus gravissime usque ad mortem."

¹⁰ *Quodl.* III, q. 13; See *Ockham: Philosophical Writings*, translated and edited by Philotheus Boehner, O.F.M., (New York: Thomas Nelson and Sons, 1957), p. 145.

¹¹ *Sent.*, I, d. 1, q. 1, b; "Ad oppositum, solo illo est utendum quid est ad aliud ordinabile et omni illo; sed quodlibet aliud a deo est ordinabile ad deum qui est finis omnium, et deus non est ad aliud ordinabile."

¹² *Sent.*, III, q. 13, c.

¹³ *Sent.*, III, q. 12, ccc. This question is reduplicated in the *Quodlibeta*, IV, q. 6.; the various articles are easier to locate in the *Commentary on the Sentences* so this text will be referred to by the footnotes.

The obligation to follow Right Reason can be known *per se*. For example, the dictate that "the will ought to conform to Right Reason" is a principle which is known "through itself".¹⁴ When the intellect apprehends the terms of this proposition and the complex or proposition is mentally formed, immediately the intellect assents that this dictate is a true obligation. The intellect immediately and necessarily judges this proposition to be true because this statement reflects the true nature of the will and Right Reason.¹⁵

Ockham's notion of prudence and his notion of Right Reason are synonymous. "It is impossible for moral virtue to exist without Right Reason which is an act of prudence."¹⁶ Strictly speaking, prudence indicates those moral judgments which are based upon the experience of a moral agent.¹⁷ The divine precepts which cannot be verified by experience, are "believed" propositions and not evident propositions. Thus, it follows that prudence is the rule or norm of virtuous acts and not the free commandments of God.¹⁸ Regardless of what the divinity might command, the prudential consideration of an agent's own experience is required before a morally good act can be produced in the will. Thus, the determiner of moral obligation is the prudent judgment of Right Reason. The judgments of Right Reason, in turn, are based upon the nature of things which are evident within experience. Therefore, the obligation to obey the will of God is a secondary obligation since prudence or Right Reason must first judge that "Everything which is pleasing to God it to be done".¹⁹ Subsequent to the judgment

¹⁴ *Quodl.*, II, q. 14; "Quia multa sunt principia per se nota in philosophia morali. Puta quod 'voluntas debet se conformare rectae rationi' et quod 'omne malum est vitabile et fugiendum.' Similiter, per experientiam sciuntur multa principia ibidem sicut manifeste patet sequenti experientia. Et ultra dico, quod illa scientia est certior multis aliis."

¹⁵ The intellect is a natural power; that is to say that the judgments of the intellect are determined by factual evidence or by a command of the will. In the case of propositions which are known *per se*, the intellect is determined by facts.

Quodl., IV, q. 17; "... assentio huic propositioni 'homo est animal' in se et absolute; et hoc quia scio quod sic importatur per istam propositionem sicut est in re." Also see *Sent.*, Prologue, q. 11, g.

¹⁶ *Sent.*, IV, q. 3, 1.

¹⁷ *Sent.*, III, q. 12, h; "Tertio modo accipitur (prudencia) pro notitia immediate directiva accepta solum per experientiam respectu alicuius agibilis. Exemplum 'iste iracundus est mitigandus per pulchra verba' et hec noticia est solum per experientiam accepta respectu alicuius propositionis particularis cognitae per experientiam. Et hoc videtur esse prudentia proprie dicta secundum intentionem philosophi prout distinguitur a scientia morali." Also see, *Quodl.* IV, q. 6.

¹⁸ *Sent.*, III, q. 13, d; "Cum igitur de ratione prudentiae sit regulare actum voluntatis, quia est recta ratio agibilium."

¹⁹ *Sent.*, III, q. 12, pp; also see *Quodl.* IV, q. 6.

of Right Reason that "God is the greatest good", the revealed commandments of God have moral authority.

II. The Nature and Stability of Moral Norms

A. *Voluntarism.* In Ockham's thought, are any moral norms necessary and unchangeable? In one sense, this question can be answered by saying that Ockham considers every moral dictate as contingent. Ockham holds that only the divine being is necessary.²⁰ Thus, the factual status of a moral proposition depends upon the free causality of God just as the existence of every finite being depends upon God. In another sense, however, Ockham confesses at least one unchangeable norm of morality — the will of God. On the condition that God wills the existence of men, it follows necessarily that men are subordinated to the will of God. Hence, Ockham considers obedience to the will of God as a necessarily and intrinsically virtuous act. By "necessarily virtuous", Ockham means that the act "cannot be wicked with the divine precept in force or caused by a created will unless the act be virtuous".²¹ Therefore, the precept that a creature obey God by willing whatever God wants to be willed, is the only unchangeable moral norm. The will of God is the only permanent and indispensable norm for ethics.

Ockham teaches that God could order a person to hate Himself.²² The command "you should hate God" is not an impossibility and so God could issue such a command. The moral quality of every action, even the love of God, depends upon the divine evaluation of that action. But even a divine mandate to hate God would not alter the fundamental requirement of obedience for God. The will of God, therefore, is the only immutable and objective standard of morality and obedience to the divine will is the only stable and subjective criterion of goodness. No matter what command is issued by God, the human will must

²⁰ *Summ. Tot. Log.*, III, II, 5, 64v; "Et ita patet quod omnes propositiones requisitae ad demonstrationem sunt necessariae, et sicut sunt necessariae, ita sunt perpetuae et incorruptibiles; quod non est sic intelligendum quod illae propositiones sunt quaedam entia necessaria et perpetua, hoc enim falsum est; solum enim Deus est perpetuus et incorruptibilis . . . Aliquando dicitur necessarium, perpetuum et incorruptibile, propositio quae, si formetur, non possunt esse falsae sed vera tantum . . ."

²¹ *Quodl.*, III q. 13.

²² *Idem.*, "Si dicis, 'Deus potest praecipere pro aliquo tempore ut non diligatur ipse . . .' Dico ad hoc, si deus posset hoc praecipere (sicut videtur quod possit sine contradictione), quod voluntas non potest pro tunc talem actum elicere, quia ex hoc ipso, quod talem actum eliceret, tunc deum diligeret super omnia et per consequens impleteret praeceptum divinum." Also see *Sent.*, II, 1. 19, o.

conform.²³ Since the metaphysical basis of morality is the divine freedom and omnipotence, the validity of moral norms is contingent and changeable.

The *Decalogue* or Ten Commandments is not a table of necessary moral rules for Ockham. Adultery, theft, fornication, etc., could be commanded by God and meritoriously done by a creature.²⁴ The nature of an act or an agent does not determine the moral quality of behavior. Instead, the divine evaluation of an act produces its moral status. The rules which regulate moral actions are as unnecessary as the operation of the divine will. But the divine will is not necessitated by any creature or contingent effect of the divine freedom. Therefore, the fact that God has proposed various precepts does not imply that such norms are unchangeable. What God has ordained (Ordinate Power) does not exhaust what God could do (Absolute Power). The will of God could change even the Decalogue.

B. *Rationalism*. Ockham holds that certain moral norms are common to every instance of moral virtue.²⁵ The moral virtues are connected because they are produced from the same general moral rules. "Everything honest should be done", "Every good should be loved", "Everything dictated by Right Reason should be loved", — these norms are operative in the production of every moral act. Such general norms are known *per se* so that when the terms of these principles are apprehended, the intellect immediately and necessarily consents to them as true. Furthermore, such principles can serve as the premises of a demonstration.²⁶ A demonstration, according to Ockham, must include propositions which are necessary as the premises of the syllogism. Thus, it follows that many moral principles are necessary, evident, and immutable for Ockham.

²³ *Sent.*, IV, q. 9, e—f; "Quia 'peccatum' ut dictum est nihil aliud dicit nisi aliquem actum commissionis vel omissionis ad quem homo obligatur propter cuius commissionem vel omissionem, homo obligatur ad penam eternam. Deus autem ad nullum actum potest obligari, et ideo eo ipso quod deus vult, hoc est iustum fieri."

²⁴ *Sent.*, III, q. 12, aaa, and *Sent.*, II, q. 19, o.

²⁵ *Sent.*, III, q. 12, t; "Ideo repondeo ad istum articulum et sit haec prima conclusio quod virtutes omnes generales connectuntur in quibusdam principiis universalibus puta 'Omne honestum est faciendum,' 'omne bonum est diligendum,' 'omne dictatum a recta ratione est faciendum' quae possunt esse majores et minores in syllogismo practico concludente conclusionem particularem cuius notitia est prudentia immediate directiva in actu virtuoso. Et potest idem principium numero esse maior cum diversis minoribus acceptis ad concludendum diversas conclusiones particulares . . ."

²⁶ *Quodl.*, II, q. 14; "Sed disciplina moralis non-positiva est scientia demonstrativa, quia notitia deducens conclusiones syllogistice ex principiis per se notis vel per experientiam scitis est demonstrativa; sed talis scientia moralis est huiusmodi, ergo et cetera."

Furthermoore, Ockham speaks of the Decalogue as a series of indispensable mandates. "In one way, natural law is called that which is conformed to natural reason, which does not fail in any case; as is "You shall not commit adultery", "You shall not lie", and of this kind".²⁷ Such statements are common in the political works.²⁸ Moreover, both the *Ordinatio* and the *Quodlibetal Questions* mention acts which are generically good.²⁹ Specifically Ockham holds that acts such as "to pray" and "to give alms" are generically good while acts such as theft and fornication are generically evil. When the human will wishes to pray, for example, it immediately produces a good act. Thus, Ockham holds that both formal principles and the nature of certain acts are constant factors in the rational determination of moral obligation.

III. The Definition of Moral Value

A. *Voluntarism*. The goodness or evil of an act connotes the will of God as accepting or rejecting that act. For instance, "actual sin does not mean other than some absolute, completed act through which one is obliged for punishment".³⁰ The term "sin" does not indicate a single reality; instead, it indicates several things — an act, a potency, and a future punishment.³¹ The "sinful" character of some acts refers to the punishment which the will of God has freely attached to these acts. The moral goodness of an act refers to the divine precept and reward which is effective regarding the performance of this act.

Ockham asserts that the notion of moral goodness is predicated in various ways. An act can be called intrinsically good or extrinsically good. An act is called intrinsically good when this act is necessarily good; "with the divine precept standing" such an act cannot be caused by a created will without being virtuous.³² Other acts are good extrinsically; i. e., other acts are good because they are produced in conjunction with this primary act of obedience to God. Hence, the act of obedience

²⁷ *Dialogus*, III, II, III, 6. Lyons edition. 1496.

²⁸ E. g., *Opus Nonaginta Dierum*, c. 99; (p. 747, Vol. II, *Opera Politica*, Manchester: Manchester University Press, 1963); *Tractatus Contra Joannem*, c. 28; (p. 118, Vol. III, *loc. cit.*); *Octo Quaestiones*, q. 1, c. 12; (p. 49, Vol. II, *loc. cit.*).

²⁹ *Quodl.*, IV, q. 6; *Sent.*, Prologue, q. 10, d.

³⁰ *Sent.*, IV, q. 3, e.

³¹ *Sent.*, IV, q. 9, r—s; "Ad primum istorum dico, quod peccatum mortale non est aliquid positivum reale nec ens rationis; tamen secundum suum quid nominis includit multa positiva, quia actum et potentiam et penam futuram; quia aliquem peccare mortaliter non est aliud nisi facere aliquem actum vel omittere propter quem ordinatur ad penam eternam."

³² *Quodl.*, III, q. 13; "Tamen, aliter potest intelligi actum esse necessario virtuosum, ita scilicet quod non posset esse viciosus stante divino praecepto."

to God above all is the primary meaning of "moral good"; any other act is called "good" because it is done in obedience to the divine mandate.

Value terms such as "just" and "meritorious" do not indicate a natural quality of an act. Rather, they reflect the absolute freedom of God to constitute any possible act as morally valuable.³³ An act is just if God orders that act. An act is unjust if God prohibits that act.

B. *Rationalism*. Ockham continues the Scholastic tradition when he holds that "good" is a transcendental predicate.³⁴ Ockham appeals to Augustine as an authority on this point, that everything can be called good.³⁵ But also, Ockham distinguishes between what is good because it is willable and what is good because it should be willed. The difference between the transcendental and the moral meaning of "good" is the notion of Right Reason. In the moral sense, "'good' is a being desirable according to Right Reason";³⁶ "something which can be willed and loved according to Right Reason".³⁷ The term "good", therefore, always connotes a free act which is conformed to the intellectual act of Right Reason, when this term functions as a value indicator.

Ockham's ethical terminology is consistent with his basic analysis of an "honest" or moral good. The nominal definition of "virtuous" and "wicked" include the connotations of free will and Right Reason. "'Virtuous' and 'wicked' are connotative names and signify the act itself; not absolutely, but by connoting with this act the activity of the will and prudence. And when something connoted is lacking, such an act is not called virtuous."³⁸ Thus, it seems clear that Ockham considers Right Reason or prudence, which is an un-free or non-voluntary act, as the fundamental connotation of value terms. An object is really and apparently a moral value when Right Reason judges that this

³³ *Sent.*, IV, q. 9, e; "Deus autem ad nullum actum potest obligari et ideo eo ipso quod deus vult, hoc est justum fieri."

³⁴ *Sent.*, I, d. 2, q. 1, l; "Ita est de 'uno' et 'bono' et sic de aliis, quod non important distinctas res supervenientes enti, de quibus 'ens' non praedicetur essentialiter et in quid; sed quidlibet horum importat determinato modo aliquid ens determinatum. Quomodo non importat aliquid aliud ens. 'Ens' autem importat eodem modo illud ens et omne aliud, et ideo in quid nominis talis conceptus debet poni ens in recto et illud ens determinatum in obliquo, Ut quid nominis 'veri' sit 'hoc ens cognoscibile ab intellectu'; quid nominis 'boni' sit 'ens appetibile a voluntate' et sic de aliis."

³⁵ *Quodl.*, VI, q. 2; "Ad argumentum principale dico quod 'laudabile' accipitur multipliciter. Uno modo pro omni natura quae est bona sive sit creata sive increata. Sic loquitur Augustinus, III *De Libero Arbitrio*. Si laudatur rationalis creatura quae facta est, nemo dubitat laudandum esse qui fecit."

³⁶ *Sent.*, I, d. 2, q. 9, bb.

³⁷ *Summ. Tot. Log.*, I, c. 4.

³⁸ *Sent.*, III, q. 13, f.

object should be desired.³⁹ The judgment of Right Reason is based upon fact; that is, a value judgment reflects the nature of things. For example, Ockham claims that a virtue is worthy to be loved for its own sake.⁴⁰ Virtues are honest goods; they are intrinsically valuable. Furthermore, there are acts which are substantially good. Goodness does not happen to an action which first was morally neutral; rectitude is not accidental to acts because the same act numerically cannot be related to proper and improper sets of circumstances. Ockham refutes Scotus' claim that the same act; e. g., walking to church, can be first good and later evil because a circumstance happens to change; e. g., the intention of the agent.⁴¹ The term "good" is predicated of the nature of certain volitional acts and does not signify an accident or quality of those will-acts.⁴² Goodness, therefore, does not indicate the divine reward which accompanies or qualifies human acts — a supernatural reward or punishment is accidental and extrinsic to the nature of human acts.

IV. Critique of Voluntaristic and Rationalistic Categories

It is imperative to examine the interpretive tools which are used to analyze Ockham's ethic. Research into Ockham's doctrine of morality brings to light diverse treatments concerning the nature of moral obligation, moral norms and moral value. Obviously, Ockham approaches these ethical issues from various perspectives and acknowledges diverse motives behind his view of ethics. He attempts to include both the absolute freedom and power of God regarding the created order and the autonomy and freedom of the human agent within his system of ethics. There are aspects of Ockham's ethic which might be called authoritarian

³⁹ *Ibid.*, s; "Ponamus igitur quod intellectus dictet hoc esse malum quia tunc est malum realiter et apparenter; quia hoc solum voco realiter apparenter bonum vel malum quod judicatur ab intellectu bonum vel malum."

⁴⁰ *Sent.*, I, d. 1, q. 4, u; "Ad tertium patet prius quod illo est fruendum quod est propter se diligendum et non propter aliud. Nunc autem bona honesta sicut virtutes et huiusmodi, non tantum propter se sunt diligenda, sed etiam propter aliud."

⁴¹ *Sent.*, III, q. 13, e; "Sed quod prudentia actualis necessario requiritur potest dupliciter intelligi. Uno modo, quod primo eliciatur aliquis actus voluntatis secundum omnes circumstantias requisitas ad actum virtuosum, excepta prudentia sive recta ratione, et quod post manente eodem actu in voluntate praecise et nullo alio elicto, per generationem prudentiae fiat iste actus qui prius non fuit virtuosus propter defectum prudentiae, fiat inquam virtuosus per generationem prudentiae (quomodo ponit Johannes in primo in materia de caritate et in "Quodlibeta"). Et iste intellectus est impossibilis, quod probatur in questione de connexione virtutum, quia hoc dato nullus actus esset intrinsece et necessario virtuosus, sed solum contingenter et extrinsece . . ."

⁴² *Quodl.*, III, q. 14; "Contra, 'rectitudo' actus non est qualitas actus, nec accidens ejus, Ergo, est substantia actus." Also see *Sent.*, III, q. 10, p—q.

or voluntaristic; other facets of his system are better classified as rationalistic. However, asserting that voluntarism or rationalism is the fundamental character of Ockham's doctrine of morality is unwarranted. These classifications structure Ockham's statements on morality into mutually exclusive interpretations and contrary types of evidence.

The basic objection against the systematic classification of Ockham as a moral voluntarist or rationalist is the resultant confusion and misrepresentation of Ockham's teaching. For one thing, dual strains of evidence can be produced which cancel each other. A voluntaristic or rationalistic interpretation can be denied by explicit statements of Ockham. For example, the voluntaristic interpretation claims that Ockham has rendered the moral order contingent and changeable by the omnipotent will of God. Yet in question 14 of *Quodlibet III*, Ockham asserts that men have demonstrable (and therefore necessary and immutable) knowledge regarding morality.⁴³ Secondly, there is no clear solution to any moral issue treated by Ockham. The contrast between the "proofs" for voluntarism and rationalism have shown that these classifications cannot give an unqualified answer to the major problems raised by Ockham. For example, Ockham's texts have been organized to show that God could retract any or all of the scriptural commandments and make their opposite acts a moral requirement. On the other hand, the evidence for rationalism includes statements by Ockham that certain moral principles must be present in every instance of moral virtue.⁴⁴ What, then, can be said with confidence regarding the nature of moral norms in Ockham's thought? Thirdly, the positions which are consistent with a voluntaristic or rationalistic ethic are absent from Ockham's work. The juxtaposed arguments for these classifications has shown that Ockham does not draw all the conclusions which are expected of voluntarism or rationalism.

A final objection to the interpretations of voluntarism and rationalism leads to a more positive consideration of Ockham's moral theory. Commentators who consider Ockham to be a voluntarist recognize a genuine concern of the Venerable Inceptor to construct a moral system

⁴³ "Sed disciplina moralis non-positiva est scientia demonstrativa, quia noticia deducens conclusiones syllogistice ex principiis per se notis vel per experientiam scitis est demonstrativa. Sed talis scientia moralis est huiusmodi, ergo et cetera. Major est manifesta. Minor probatur, quia multa sunt principia per se nota in philosophia morali; puta, quod "Voluntas debet se conformare rectae rationi," et quod "Omne malum est vitabile et fugiendum."

⁴⁴ See note 25 on page 78.

which respects the divine omnipotence. Likewise, the rationalistic interpretation concentrates upon a conscious and articulate assertion by Ockham; i. e., the autonomy of the human agent. Both of these positions are present in Ockham's ethic, but it is not textually clear that one of them is emphasized or primary. In fact, Ockham clearly states that moral doctrine has a place for both the decrees of the divinity and the exigencies of human reason.

Concerning the third article, it should be known that moral doctrine has many parts, of which one is positive and the other is non-positive. Human positive science is that which contains human and divine laws which oblige to pursue or to avoid those things which are neither good nor evil unless because they are prohibited by a superior capable of instituting laws. Non-positive moral science is precisely that which, dominating every precept, directs human acts; just as principles known *per se* or known through experience.⁴⁵

Such statements are common in Ockham's texts;⁴⁶ they should indicate that the voluntarism/rationalism dilemma is a false question. Ockham's own analysis of the structure of ethical doctrine acknowledges both voluntaristic and rationalistic elements. It is *ad mentem* of Ockham to distinguish between the authoritarian and the rational components of his moral system; but it is unwarranted to interpret a part as the whole.

Current ethical terminology might render the positive and the non-positive division of Ockham's system as a distinction between the "dogmatic" and the "formal".⁴⁷ The positive or dogmatic aspects of

⁴⁵ *Quodl.*, II, q. 14. Two factors require mention regarding this text. First, Ockham does not contrast the positive and the non-positive parts of moral doctrine by distinguishing between acts which are "evil because they are prohibited" and acts which are "prohibited because they are intrinsically evil." Secondly, Ockham never asserts that the positive and the non-positive are antithetical.

⁴⁶ E. g., *Opus Nogaginta Dierum*, c. 65 (p. 574—75, Vol. II, *loc. cit.*); "Jus autem poli vocatur aequitas naturalis, quae absque omni ordinatione humana et etiam divina pure positiva est consona rationi rectae, sive sit consona rationi rectae pure naturali, sive sit consona rationi rectae acceptae ex illis, quae sunt nobis divinitus revelata. Propter quod hoc jus aliquando vocatur jus naturale; quia omne jus naturale pertinet ad jus poli. Aliquando vocatur jus divinum; quae multa sunt consona rationi rectae acceptae ex illis, quae sunt nobis divinitus revelata, quae non sunt consona rationi pure naturali." Also see *Quodl.*, II, q. 6 and *Sent.*, I, d. 41, q. 1, k.

⁴⁷ Anita Garvens expressed the positive and non-positive aspects of moral theory as the "content" and "form" of moral doctrine. She says "Wenn für Ockham die allgemeinen ethischen Prinzipien schließlich doch mehr als nur formale Sätze sind, wie im Laufe der folgenden Untersuchung sich zeigen wird, so liegt das vornehmlich in seiner gläubigen Annahme der Offenbarung als der Erkenntnisquelle für die vom Willen Gottes festgesetzte Sittenregel, die augenblicklich und ordinate gültig ist. Sie allein liefert Ockham den Inhalt der sicheren allgemeinen ethischen Prinzipien. In der grundsätzlichen und theoretischen Haltung Ockhams gegenüber der scientia

moral theory concern those rules and truths which are posited by a legitimate authority. A dictate of God or of the civil government can constitute a moral obligation regarding an action which is neither good nor evil in itself. Since Ockham recognizes only one intrinsically good act, namely, the altruistic love of God,⁴⁸ the possibility is open that

moralis non positiva kommt dies jedoch, wie gezeigt wurde, nicht zum Ausdruck." (*Op. cit.*, p. 248). It is the emptiness or lack of "Inhalt" on the part of rational principles which leads Professor Garvens to her voluntaristic interpretation of Ockham's ethic. Admittedly, the principles of Practical Reason are formal propositions. This does not mean, however, that natural reason is irrelevant for determining the moral value of concrete acts.

Ockham is aware that the meaning and application of the divine precepts is not self-evident. For one thing, there are situations in which contrary commands can be applied. "Item, in necessitate omne privilegium cessat, sicut dicunt canonicae sanctiones. Si enim leges, non solum humanae, sed etiam divinae, in necessitate cessant et in eis excipitur necessitas . . . quod ex verbis Christi accipitur, Matthaei xii, multo fortius privilegia humana in necessitate cessant et in eis necessitas excipi debet." (*An Princeps*, c. 8; p. 259, Vol. I, *op. cit.*) Ockham frequently refers to the proposition that "Necessitas non habet legem," which is derived from the gospel of St. Matthew, chapter 12. Scripture, therefore, allows for exceptions to certain divine commandments because they conflict with divinely given rights. For example, a person in extreme hunger is permitted to take the food required to sustain life in spite of the prohibition against stealing. Thus, Right Reason often must judge the priority of divine commands in a particular situation. Secondly, it would be impossible for a human agent to simultaneously fulfill all of the divine commandments which are stated affirmatively. "Quarto dico quod non quilibet tenetur se semper conformare actualiter voluntati divinae volendo ea quae voluntas divina vult et omnia illa; tum quia non tenetur cognoscere omne volutum a voluntate divina, tum quia non tenetur semper implere praecepta divina affirmativa." (*Sent.*, I, d. 48, q. unica, f.) A person is capable of only one will act in any given instant; hence, a person could not simultaneously and constantly praise God and honor his parents. Again, a moral agent must prudently decide how to utilize the divine mandate in this situation. The problems involved in explicating the meaning and the relevance of revealed, moral norms are realized by Ockham. Ockham's doctrine of prudence and Right Reason indicates the necessity of experience and rational analysis in resolving a moral deliberation whether divine mandates are pertinent to the deliberation or not. Professor Garvens' distinction between content and form is a useful way to look at Ockham's partition of moral doctrine into the positive and non-positive. But surely, this distinction between the positive and the formal aspects of Ockham's system is not a warrant for a voluntaristic interpretation.

⁴⁸ Ockham often raises the possibility that God could command a creature to hate Him, or even cause an act of hate for God in a creature's will (Cf., *Sent.*, II, q. 19, o and q; *Sent.*, III, q. 12, dd; *Quodl.*, III, q. 13). Ockham is disposed to consider this possibility because of his doctrine of Beatitude and Damnation. Beatitude and Damnation are permanent states of the good and bad angels respectively. An act of love or of hate for God, which is a permanent and necessary effect of the created will, is not consistent with Ockham's analysis of the will's freedom and contingency. Hence, Ockham asserts that the permanent hate for God, which constitutes the state of Damnation, is totally caused by God (See *Sent.*, II, 1. 19, e). *De facto* God does cause an act of hate for Himself. This doctrine is a possible source for Ockham's frequent admission that God could command that the human agent hate the Creator.

every other human action could be good or evil depending on the divine commandment. The formal aspects of moral theory concern those principles of practical reason and those exigencies of human nature which are operative regardless of the present divine and civil precepts. Notice that the practical principles enumerated by Ockham have an *a priori* or formal character; principles such as "The will ought to be conformed to Right Reason", "All evil is blameworthy and to be avoided", "All good should be loved", and "Everything honest should be done" give little information about concrete actions. These propositions are true but they are also "contentless".⁴⁹ That is to say, these formal principles cannot be applied to a given situation without adding a positive judgment that "This is conformed to Right Reason", "This is evil", "This is good", "This is honest". Therefore, it is not far-fetched to see a harmonious inter-action between the dogmatic and formal aspects of Ockham's system. The interpretive tools of "content" and "form" are compatible; the connotations of voluntarism and rationalism, however, make these classifications mutually exclusive.

Ockham differentiates the positive and the non-positive parts of ethics with examples of two different types of ethical norms — dogmatic and formal. In a larger sense, this distinction pervades Ockham's entire doctrine of morality. For example, when locating the source of moral

Ockham clearly states, however, that true love for God is intrinsically and necessarily good. There is no contradiction between the claims that; (a), God could oblige a person to hate Him and (b), love of God is the only intrinsically good act. A person who hates God out of obedience to a divine precept would elicit, paradoxically, an act of love for God. Regarding the possibility of a divine mandate to hate God, Ockham says "*Si Deus posset hoc praecipere (sicut videtur quod possit sine contradictione), quod voluntas non potest pro tunc talem actum elicere, quia ex hoc ipso, quod talem actum elicere tunc deum diligeret super omnia et per consequens impleret praeceptum divinum.*" *Quodl.*, III, q. 13.

⁴⁹ The general principles of Practical Reason are "contentless" because they are composed of "connotative" terms. Value terms do not signify simply one thing; rather they directly signify one thing and indirectly signify something else. For example, the word "good" signifies an action and indirectly stands for the will and Right Reason. Consequently, the principle "Everything good should be done" indicates the voluntary and reasonable character of every obligatory act. This principle remains a true proposition even though the divine will could change the moral status of specific acts. "Contentless" does not mean that the principles of Practical Reason are non-informative or useless in a moral deliberation. For example, the truth of one formal principle can prohibit logically the truth of another principle. "*Si dicas quod incontinens habet duas majores, scilicet, quod 'Nullum in-honestum est faciendum' et 'Omne delectabile est faciendum.' Sub secunda majore solum accipit minorem, puta, quod 'Hoc est delectabile,' et ideo ex istis tamen concludit quod 'Hoc est faciendum.' Contra, impossibile est quod simul assentiat illis majoribus quia isti assensus opponuntur.*" *Sent.*, III, q. 12, pp.

obligation, Ockham never asserts that the divine will is the only reason why acts are right or wrong. In fact, he clearly implies the presence of moral obligations in cases which do not involve the divine commandments. "The will always sins by a sin of commission when it elicits some act to whose opposite it is obliged by divine precept or by divine ordinance, or obliged to the opposite *in another way*."⁵⁰ Clearly, a non-Christian experiences moral obligation even though he may deny the existence of God and the authority of Scripture. Furthermore, Ockham's dogmatic assertions regarding moral obligation; namely, that God must be loved above all and that the divine will could alter the moral status of every human act, are supported by both scriptural and metaphysical arguments. The revealed truth of God's omnipotence and freedom is one reason for Ockham's assertions. Another reason is metaphysical; i.e., "*Solus Deus est summe diligendus quia est summum bonum*".⁵¹ Because God is the greatest good, God should be loved most. The principle that the greatest good should be loved greatest was accepted by Aristotle and Ockham;⁵² they differ by identifying the greatest good as happiness and God, respectively. Instead of voluntarism or rationalism, Ockham's moral doctrine shows a Christian with a keen logical mind and a healthy respect for Aristotle.

It is relatively easy to demonstrate Ockham's voluntarism or rationalism; if that is what one wants to show. By juxtaposing arguments for a voluntaristic and rationalistic interpretation, however, it is clear that each of these classifications excludes a significant portion of the data. Both categories do violence to Ockham's analysis of morality. Ockham teaches a single doctrine of ethics which includes two parts — the positive and non-positive. Interpretations of voluntarism and rationalism, therefore, account for only part of Ockham's ethical theory. Furthermore, it can be illustrated that Ockham reconciles the positive and non-positive parts of moral doctrine as the content and form of morality. Interpretations utilizing the notions of "dogmatic" and "formal" can be faithful to the diverse aspects of Ockham's system without destroying the fundamental unity of his moral doctrine. Ock-

⁵⁰ *Sent.*, III, q. 13, m. Also see *Sent.*, Prologue, q. 11, g.

⁵¹ *Sent.*, I, d. 1, q. 4, t.

⁵² Ockham quotes the Nicomachean Ethics (Book I, chapter 7) at length, and voices his approval of Aristotle's treatment of "ends." Ends can be desired for the sake of another; ends can be desired for their own sake as ultimate; and ends can be desired both for their own sake and for the sake of another. Ockham concludes that God is the only ultimate end while recognizing that Aristotle considers happiness as the ultimate good. Cf., *Sent.*, I, d. 1, q. 1, f—h.

ham's moral theory attempts to specify the uses of faith and reason for directing one's life. Unfortunately, voluntaristic and rationalistic interpretations have misrepresented his motives and his accomplishment in ethics.

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WALTER CHATTON

ON THE UNIVOCITY OF BEING: A REACTION TO PETER AUREOLI AND WILLIAM OCKHAM¹

Walter Chatton, an English Franciscan, was a Master at Oxford during the third decade of the fourteenth century.² His thought represents a budding Scotism and a contemporary criticism of two of the most controversial representatives of early fourteenth century philosophy, Peter Aureoli and William Ockham. Yet, Chatton's teachings have remained virtually hidden in unedited texts.³ In this article we propose to remedy, in a small way at least, the enforced silence of Walter Chatton.

We provide an edited text of Book I, distinction III, question 2, articles 1, 2 and 3 of Chatton's *Commentary on the Sentences of Peter Lombard*. This will give us the material for an inquiry into his teaching on the univocity of being. Our purpose, then, is to expose Walter Chat-

¹ This article, based on a 1967 doctoral dissertation "Walter Chatton on the Univocity of Being (A critical Edition of *Sent. I, Dist. III, Quaest. 2*, With a Commentary)", is published as a partial fulfillment of the requirements for the degree of Doctor of Philosophy at the "Institut Supérieur de Philosophie", University of Louvain.

² Cf. C. Michalski, "Le criticisme et le scepticisme dans la philosophie du XIV^e siècle", *Bulletin international de l'Académie polonaise des sciences et des lettres*, 1925 (Cracow: 1926), 41—122; A. B. Emden, *A Bibliographical Register of the University of Oxford to A. D. 1500*. I (Oxford, 1957), 395 ff.; C. K. Brampton, "Gauthier de Chatton et la provenance des Mss. Lat. Paris Bibl. Nat. 15886 et 15887", *Etudes Franciscaines*, XIV (1964), 200—205; Guillelmi de Ockham, *Opera Theologica*, I (containing the Prologue and distinction I *Ordinationis*, ed. G. Gál and S. Brown, St. Bonaventure, N.Y., 1967), 26—31".

³ Brief texts have been edited by E. Longpré, "Gualterio di Chatton. Un Maestro Franciscano d'Oxford", *Studi Francescani*, IX (1923), 101—114; and L. Baudry, "Gauthier de Chatton et son Commentaire des Sentences", *Archives d'Histoire doctrinale et littéraire du Moyen Age*, XIV (1943), 337—369. Miss Decima Douie has edited Chatton's *De paupertate evangelica* AFH, XXIV (1931), 341—369; XXV (1932), 210—240. J. J. O'Callaghan has edited the second question of the Prologue of *Chatton's Commentary on the Sentences of Peter Lombard*; cf. *Nine Mediaeval Thinkers — A Collection of hitherto unpublished texts*, ed. R. O'Donnell (Toronto: Pontifical Institute of Mediaeval Studies, 1955), 233—269. J. Murdock and E. Synan, "Two Questions on the Continuum: Walter Chatton (?) O.F.M. and Adam Wodeham, O.F.M.", *Franciscan Studies* XXVI (1966), 212—288; G. Gál, "Gualteri de Chatton et Guillelmi de Ockham Controversia de natura conceptus universalis", *Franciscan Studies* XXVII (1967), 191—212.

ton's doctrine on the univocity of being and to explain how his teaching attempted to answer the criticisms of Aureoli and Ockham while being at the same time a particular interpretation of John Duns Scotus.

The manuscripts which contain either part or whole of Walter Chatton's *Commentarium in Sententias* are the following:

Paris: *Bib. Nat., Cod. lat.* 15886

Paris: *Bib. Nat., Cod. lat.* 15887

Florence: *Bib. Naz., Conv. Sopp. C.* 5. 357

Cambridge: Public Library, Ff. III, 26, ff. 122, 123, 130b.

Following the procedure of J. O'Callaghan, we will refer to the Paris ms. 15886 as A; Paris ms. 15887 as B; and to the Florence ms. as F.⁴ The Cambridge ms. contains only parts of the Second Question of the *Prologue*.⁵ The manuscripts have been described briefly by E. Longpré,⁶ and J. O'Callaghan⁷ and in more detail by L. Baudry,⁸ C. K. Brampton⁹ and G. Gál.¹⁰

In the text edition of Walter Chatton's doctrine on the univocity of being we present the longer, later and more polished text of Chatton's *Commentary*. Hence we have employed mss. Florence, Conv. Sopp. C. 5. 357 and Paris Nat. lat. 15886. The Florence manuscript is more complete and has less omissions than ms. Paris 15887. We have not used manuscript Paris Nat. lat. 15887 because any attentive comparison of mss. 15886 and 15887 shows, and the studies of Baudry, O'Callaghan, Brampton and Gál verify this opinion, that Book I has so many important variations — the one manuscript (15886) offering, for example, more articles to a question than the other — that they cannot be used to form a text which could appromixate a common reading. It is only in the *Prologue* that the two Paris manuscripts are identical. The edition presented here comprises the second question of Distinction III of Book I of Chatton's *Commentary on the Sentences*. The text extends from folio 140ra to 145va in Paris, Nat. lat. 15886 and from folio 88va to folio 92rb in the Florence, Conv. Sopp. C. 5. 357¹¹.

⁴ J. J. O'Callaghan, "Second Question of the Prologue . . .", 233.

⁵ L. Baudry, "Gauthier de Chatton . . .", 342. This Cambridge ms. contains only three articles of the second question of the *Prologue* while the two Paris mss. contain six articles of this question.

⁶ E. Longpré, "Gualtiero di Chatton . . .", 105. Father Longpré described the Florence ms. only.

⁷ J. J. O'Callaghan, "Second Question of the Prologue . . .", 233—235.

⁸ L. Baudry, "Gauthier de Chatton . . .", 342—344; 346—369.

⁹ C. K. Brampton, "Gauthier de Chatton . . .", 200—205.

¹⁰ G. Gál, "Gualteri de Chatton et Guillelmi de Ockham . . .", 192—199. Cf. also *Guillelmi de Ockham, Opera theologica*, I, 26*—31*.

¹¹ The following editions have been used to indicate the sources referred to in the text:

<Utrum aliquis conceptus communis sit univocus Deo et creaturae>

Secundo circa istam distinctionem quaero utrum aliquis conceptus communis sit univocus Deo et creaturae.

Quod non:

Quia quanto inter aliqua est minor convenientia, tanto pauciores conceptus sunt eis communes in quid;¹ igitur inter quae est minor convenientia in infinitum, ibi nullus est eis conceptus communis in quid. Consequentia patet, quia maior disconvenientia² arguit pauciores conceptus communes in quid, ergo disconvenientia infinita arguit nullum conceptum communem esse eis in quid;³ igitur, eadem ratione de minore convenientia. Antecedens patet discurrendo.⁴

Secundo sic: Ad univocationem conceptus aut requiritur quod iste conceptus significet illa aequae⁵ primo, aut sufficit quod dicatur de eis quodam ordine secundum prius et posterius. Si detur primum habetur propositum, quia nullus conceptus significat Deum et creaturam aequae primo. Non est dare secundum, quia tunc periret omnis analogia in entibus eo quod analogia non salvatur nisi per talem attributionem.⁶

Ad oppositum: Univoca sunt quorum nomen⁷ est commune et ratio substantiae eadem.⁸ Sed ita est de conceptu entis respectu Dei et creaturae. Igitur, et cetera.

Aristoteles, *Aristoteles latinus*. I, 1—5: *Categoriae vel Praedicamenta*. Translatio Boethii — Editio composita — Translatio Guillelmi de Moerbeka (ed. Laurentius Minio-Pauluello), Bruges-Paris, 1961.

Opera, ed. I. Bekker (Berlin, 1831), 2 vol.

Averroes, *Aristotelis, opera cum Averrois commentariis* (ed. apud Juncas) Venice, 1562—1574 (Reprinted by Minerva GmbH., Frankfurt/Main, 1962).

Guillelmus de Ockham, *Opera Plurima* (Lyon, 1494—1496). In *Sententiarum* I, III (Republished by the Gregg Press Limited, London, 1962). *Opera Theologica* I (ed. G. Gál et S. Brown, St. Bonaventure, N. Y., 1967).

Ioannis Duns Scotus, *Opera Omnia*. ed. C. Balić (Vatican City, 1950—1963) for the *Ordinatio* I and the *Lectura*. All other references to Scotus are from the *Opera Omnia*, ed. Vivès (Paris, 1891—1895).

Petrus Aureoli, *Scriptum super Primum Sententiarum*, ed. E. Buytaert (St. Bonaventure, New York, 1952—1956), 2 vol.

¹ in quid/*om.* A.

² disconvenientia/convenientia AF.

³ ergo . . . quid/*om.* A.

⁴ Cf. *infra*, 126.

⁵ aequae/quae A.

⁶ Cf. *infra*, 126.

⁷ nomen/nomina F.

⁸ Aristoteles, *Praedicamenta* cap. 1^o (1a 6)

In ista quaestione sunt tria facienda: Primo ponetur duplex opinio,⁹ secundo solvetur quaestio,¹⁰ tertio dicetur ad quae se extendit haec univocatio.¹¹

〈ARTICULUS I〉

Primo igitur ponenda est duplex opinio ad quaestionem.

〈OPINIO PETRI AUREOLI〉

Una opinio¹² tenet quod nullus conceptus communis Deo et creaturae conveniat illis¹³ univoce. Dicunt enim in primo suo, distinctione secunda,¹⁴ quod primo distinguendum¹⁵ de conceptu, quia conceptus aut accipitur pro ipsa intentione, sic dicunt quod eadem intentione confusa intelligi potest totus ambitus entis, ita quod intellectus unica intellectione transeat super totum significatum entis; et hoc non est dubium, ut dicunt, quia hoc signum 'omne' distribuit pro toto significato entis; aut sumitur conceptus pro ipsa ratione obiectali concepta, ita quod sit quaestio utrum illi intentioni confusae entis correspondeat una simplex ratio obiectalis concepta communis omni enti, sicut intentioni animalis correspondet una simplex ratio obiectalis concepta communis omni animali.

Et ad istum intellectum dicunt ad quaestionem primo, quod isti intentioni confusae non correspondent multae rationes obiectales rerum diversarum eis proprie consideratae,¹⁶ simul vel distincte; cuius oppositum imponunt aliis.¹⁷ Istud probant¹⁸ quia non potest dici quod ratio obiectalis entis sit congregata ex rationibus propriis obiectalibus omnium individuorum, quia sic aggregaretur quasi ex infinitis; nec ex omnibus rationibus obiectalibus specierum vel generum subalternatorum vel etiam generum generalissimorum, quia laici concipiunt ens et tamen non habent proprium conceptum 'ubi' vel 'quando'; nec ex rationibus obiectalibus Dei et substantiae tantum, quia tunc haec esset falsa: 'accidens est ens'; nec ex rationibus obiectalibus accidentium et Dei

⁹ Vide infra, articulum primum, pp. 91—101.

¹⁰ Vide infra, articulum secundum, pp. 101—117.

¹¹ Vide infra, articulum tertium, pp. 117—126.

¹² Haec est opinio Petri Aureoli quae continetur in *Scripto* I, d. 2, sect. 9 (II, 469—523).

¹³ illis/illi *AF*.

¹⁴ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 48 (II, 483).

¹⁵ distinguendum/distinguendo *AF*.

¹⁶ consideratae/(?) *AF*.

¹⁷ Opinio Gerardi Bononensis et Hervaei Natalis ut reiecta a Petro Aureoli. *Scriptum* I, d. 2, sec. 9, n. 51 (II, 484).

¹⁸ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 59 (II, 488—489). Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 60—65 (II, 489—491).

tantum, quia sic haec esset falsa: 'omnis substantia est ens'. Ergo, non apparet quod ratio obiectalis entis sit aggregata ex pluribus rationibus obiectalibus inferiorum invicem comparatis¹⁹ vel distinctis.

Secundo, dicit quod intentioni confusae entis non correspondet una ratio obiectalis simplex concepta quae sit communis omni enti; cuius oppositum imponere videntur Doctori Subtili.²⁰ Istam conclusionem probant²¹ primo quia, si esset ibi una talis simplex ratio obiectiva communis omnibus, tunc illa seipsa sine differentia addita descenderet in rationes obiectivas proprias singulorum et seipsa eadem cum eis. Consequens falsum, quia tunc, sicut illa ratio obiectiva entis est eiusdem rationis communis omnibus, ita omnes rationes obiectivae propriae singulorum essent eiusdem rationis inter se, quia quae sunt eiusdem rationis cum tertio sunt eiusdem rationis inter se. Consequentia patet, quia illa ratio obiectiva entis non descendit per differentiam additam enti, quia tunc illa differentia esset extra ambitum entis et per consequens non esset aliquid addibile, quia non-ens non est addibile.

Secundo, quia illa ratio obiectiva entis aut esset absoluta aut relativa. Si absoluta, igitur non convenit respectivis; si relativa, igitur non convenit absolutis.²²

Tertio, probatur idem, quia rationes obiectivae praedicamentales sunt simplicissimae et maxime absolutae, quia sunt se totis diversae, et per consequens ultra illas non est aliqua una ratio obiectiva in qua conveniant.²³

Ex istis tertio ad quaestionem:²⁴ quia licet intentio confusa entis sit²⁵ una, tamen non est univocatio, quia non est ibi aliqua substantialis ratio obiectalis correspondens quae conveniat omni enti. Est enim illa intentio confusa quantum ad modum concipiendi et per eam concipitur implicite omnis res et omnis ratio obiectiva, sed explicite nulla res nec ratio obiectiva intelligitur per eam.

¹⁹ comparatis/comparantis *AF.* comparatis/invicem *iter. F.*

²⁰ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 52 (II, 484—485). Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 50 (II, 484).

²¹ P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 66, 67 (II, 491—492). Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 68—81 (II, 492—498).

²² P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 82 (II, 499). Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 83—85 (II, 499—501).

²³ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 86 (II, 501). Cf. etiam obiectiones quas Aureoli anticipat nn. 87—90 (II, 501—505).

²⁴ Haec esset opinio Aureoli secundum Gualterum Cattonis. Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 53 (II, 485). Cf. etiam obiectiones et responsa quae sequuntur, *Scriptum* I, d. 2, sec. 9, nn. 54—58 (II, 485—488). Cf. etiam *Scriptum* I, d. 2, sec. 9, n. 91 (II, 505). Vide alias obiectiones et responsa *Scriptum* I, d. 2, sec. 9, nn. 92—113 (II, 505—511).

²⁵ sit/*interl. F.*

〈IMPUGNATIO OPINIONIS PETRI AUREOLI〉

Contra istam opinionem primo²⁶ videtur dicendum quod dictum istorum contra primam opinionem non procedit contra eam, quia si per²⁷ unam intentionem intelligerentur omnia in generali, sicut isti concedunt, ergo per illam intentionem²⁸ quidlibet est indistincte cognitum, sicut etiam concedunt. Ergo per illam intentionem quidlibet denominatur esse in anima, quia idem est esse cognitum et esse in anima sicut cognitum in cognoscente. Utrobique enim est denominatio extrinseca obiecti ab ipsa cognitione, quae denominatio est introducta per auctores, qualiter dicimus quod Homerus est in opinione, et creaturae in mente divina. Igitur, si per conceptum entis est verum dicere quod omnia sunt cognita indistincte, sequitur quod in eodem modo loquendi erit verum dicere quod per illum conceptum entis omnia sunt in anima. Quando igitur dicitur quod tunc infinita haberent ibi esse, idem²⁹ obiciendum est eis, quia tunc infinita intelligerentur per illam intentionem. Unde non est imaginandum quod esse cognitum sit quoddam esse distinctum ab ipsa cognitione et ipsa re extra quae cognoscitur, sed quod ipsa res extra extrinseca denominatione denominatur cognita seu esse in anima per illam cognitionem. Si ergo concedunt per conceptum entis quod infinita sunt cognita, deberent consequenter concedere conclusionem illam in eodem modo loquendi.

Secundo³⁰ videtur dicendum quod, licet in verbis nitantur contradicere opinioni secundae, tamen in re ipsi habent concedere conclusionem principalem illius secundae opinionis, scilicet quod conceptus entis conveniat Deo et creaturae univoce. Arguo sic: Conceptus entis est una simplex intentio distincta a propriis conceptibus omnium et illa praedicatur in quid de conceptu proprio cuiuslibet, igitur est univocus omnibus. Consequentia patet, quia alia opinio non plus intendit per conceptum univocum: nomen enim univocum est ubi nomen commune est idem et ratio substantialis eadem, id est, idem conceptus praedicabilis in quid, sicut patet in *Praedicamentis*³¹. Prima pars antecedentis patet secundum eos; secunda etiam pars antecedentis probatur ab eis eadem

²⁶ Oppugnatio Cattonis contra Petrum Aureoli (ad hoc punctum agebatur de praestatione doctrinae Aureoli sed nunc Gualterus oppugnat reiectionem Gerardi et Hervaei quam Petrus Aureoli fecit).

²⁷ per/eam *add. F.*

²⁸ intentionem/intellectionem *A.*

²⁹ idem/ibi *A.*

³⁰ Gualterus Cattonis oppugnat reiectionem Scoti quam fecit Petrus Aureoli. Cf. *supra*, pp. 8, 15—9, 16.

³¹ Aristoteles, *Praedicamenta*, cap. 1^o (1a 6—11).

quaestione, articulo quarto,³² reducendo primum argumentum suum, scilicet, quod conceptus entis praedicetur in quid de conceptu cuiuslibet, etiam tam differentiae ultimae quam etiam³³ passionum. Et confirmo istud, quia in propositione ista composita ex intentionibus 'omnis substantia est ens' per eos istud praedicatum est quaedam simplex intentio³⁴ confusa omnium et ipsa praedicatur in quid de isto subiecto distributo tam pro Deo quam pro creatura, quia aliter esset aliqua substantia quae non esset essentialiter entitas quaedam, sicut ipsi arguunt. Igitur, vere est communis univoce.

Eodem modo arguendum de ista propositione: 'omne accidens est ens'. Et similiter de ista propositione: 'quidlibet est ens'.³⁵

Item, ad idem: non moventur ad negandum univocationem in proposito nisi quia intentioni illi non correspondet una ratio obiectalis concepta; sed hoc non debet movere; igitur et cetera. Assumptum patet, primo quia tunc conceptus generis vel speciei non esset univocus, quia illi intentioni non correspondet una ratio obiectalis seu unum esse obiectivum distinctum a cognitione et re extra, sicut est probatum quaestione praecedente.³⁶ Secundo, quia tunc ratio obiectalis specifica non esset univoca in individuis eiusdem speciei, quia ista ratio obiectiva concepta non haberet aliam rationem obiectivam vel illa alia ratio obiectiva non esset univoca nisi haberet aliam, et sic in infinitum; quia, si detur status ad aliquam, eadem ratione dicetur eis de intentione quod ipsa sit signum univocum, licet ipsam non concomitetur ad esse rei cognitae.³⁷

Tertio³⁸ in principali videtur dicendum quod rationes suae contra opinionem secundam sunt contra seipsum, quia aequae probant quod non sit unus simplex conceptus entis, cuius oppositum ponunt. Aut descendit seipso in proprios conceptus inferiorum, tunc est eiusdem rationis cum eis et sic sunt eiusdem rationis inter se. Aut descendit per alios conceptus sibi additos, igitur illi sunt conceptus non-entium.

Item: Diceretur quod descendit per conceptus additos magis explicitos eorumdem³⁹ entium quorum ens est conceptus transcendens, sicut patet

³² P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 66—81 (II, 491—498).

³³ etiam/*om. A.*

³⁴ intentio/intellectio *F.*

³⁵ Et . . . ens/*iter. F.*

³⁶ Ubi quaerebatur "utrum creatura rationalis poterit habere aliquem conceptum universalem seu communem Deo et creaturae". Cf. *A* ff. 137va—140ra.

³⁷ licet . . . cognitae / *AF.*

³⁸ Hic Gualterus initium dat oppugnationi argumenti quo Petrus reiecerat Scotum. Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 66—81 (II, 491—498). Cf. supra, p. 92.

³⁹ eorumdem/eodem *A.*

de praedicato istius propositionis: 'animal est ens non existens in alio, corporeum, vivum vita sensitiva', vel quod descendat per circumlocutionem.

Secunda ratio est contra seipsos,⁴⁰ quia intentio illa quam vocant conceptum entis aut est absoluta, tunc non convenit respectivis; aut respectiva, tunc non convenit absolutis. Dicendum igitur quod est absoluta in essendo, sed tamen significat tam⁴¹ absoluta quam respectiva significatione confusa et transcendente.⁴²

Tertia⁴³ etiam ratio est contra seipsos,⁴⁴ quia iste conceptus praedicamentalis qui est intentio aut est maxime abstractus vel non. Si sic, ergo non est aliquis conceptus qui sit intentio communior nec abstractior; si non, igitur non est conceptus supremus in linea praedicamentali, quia conceptus supremi praedicamentales seipsis primo sunt diversi. Et per consequens, non habent conceptum magis abstractum in quo conveniant, quia sic sub illo haberent proprias differentias per quas differrent inter se et ita non essent primo diversi. Ad istud patebit infra.⁴⁵

<OPINIO GUILLELMI DE OCKHAM>

Alia est opinio aliquorum in primo suo, distinctione secunda, quaestione nona, quod conceptus entis sit univocus Deo et creaturae.⁴⁶ Et ponunt novem in illa quaestione. Primo, quod illae tres rationes quas Doctor Subtilis adducit ad probandum istud non probant.

Prima non,⁴⁷ de certo et dubio, quia aliquis potest esse certus de disiuncto licet dubitet utraque parte, ut quod 'A' sit substantia vel accidens dubitando utrum sit substantia vel utrum sit accidens.

Nec secunda ratio valet⁴⁸ cum arguitur quod nullum obiectum causat notitiam propriam obiecti quod non continet formaliter nec virtualiter.

⁴⁰ Hic Gualterus oppugnat secundum argumentum Aureoli contra Scotum. Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 82—85 (II, 499—501). Cf. supra, p. 92.

⁴¹ absoluta . . . tam/marg. F.

⁴² Cf. anticipationem quam fecit Petrus Aureoli, *Scriptum* I, d. 2, sec. 9, n. 85 (II, 500—501).

⁴³ Tertia/secunda AF.

⁴⁴ Hic incipit argumentum Cattonis contra tertiam reiectionem Scoti apud Aureolum. Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 86—90 (II, 501—505). Cf. supra, p. 10, 1—4.

⁴⁵ Cf. infra, 122—126.

⁴⁶ Haec est opinio Guillelmi de Ockham quae continetur in *Commentario super Sententias* I, d. 2, q. 9.

⁴⁷ Ockham, *Commentarium* I, d. 2, q. 9. C contra primam rationem: Cf. Scotus, *Ordinatio*, I, d. 3, p. 1, qu. 1—2, n. 27 (III, 18).

⁴⁸ Ockham, *Commentarium* I, d. 2, q. 9. C contra secundam rationem. Cf. Scotus, *Ordinatio* I, d. 3, p. 1, qu. 1—2, nn. 35—36 (III, 21—24).

Istud supponit quod unum obiectum continet virtualiter notitiam alterius obiecti; et hoc falsum est secundum eos. Igitur habes concedere quod una res potest causare proprium conceptum Dei.

Nec tertia ratio hoc probat.⁴⁹ Cum arguitur quod, nisi sapientia esset communis Deo et creaturae, nihil attribueretur Deo ex creaturis, istud non probat, quia sic probaretur univocatio⁵⁰ in re, quia aliqua res sibi attribueretur.

Secundo, respondendo ad quaestionem, probat quod Deus non potest cognosci in se ita quod ipsemet terminet actum immediate nullo alio concurrente in ratione obiecti.⁵¹ Primo, quia sic nullus dubitaret Deum non includere contradictionem, quia nullus dubitat de aliquo si includat contradictionem nisi habeat duos conceptus de quibus dubitet si repugnent. Sed qui cognoscit Deum in se non habet tales conceptus. Secundo, quia nullus⁵² cognoscit Deum in se nisi vel intuitive vel mediante intuitiva vel mediante propria specie, aliter nullus indigeret sensu ad scientiam acquirendam.⁵³ Sed nullo istorum modorum cognoscitur Deus in via.

Tertio, dicit⁵⁴ quod pro isto statu non potest cognosci conceptu simplici proprio, quia ille non habetur nisi mediante cognitione sui in se, aliter caecus a nativitate posset habere conceptum simplicem proprium coloris.

Quarto, dicit⁵⁵ quod Deus in via potest concipi conceptu communi sibi et aliis, quia aliquo modo cognoscitur a nobis sed non in⁵⁶ se, ut probatum est, nec conceptu simplici proprio, ut etiam probatum est.⁵⁷ Igitur, vel conceptu communi simplici, et habetur propositum, aut conceptu composito ex communibus, et adhuc habetur propositum, quia pars eius erit conceptus communis.

Quinto,⁵⁸ quod talis conceptus dicitur in quid de Deo et creatura. Probatur ratione doctorum,⁵⁹ quia conceptus communis utrique aut dicitur in quid, et habetur propositum, aut denominative. Quaero tunc

⁴⁹ Ockham, *Commentarium* I, d. 2, q. 9. C contra tertiam rationem. Cf. Scotus, *Ordinatio* I, d. 3, p. 1, qu. 1—2, n. 39 (III, 26—27).

⁵⁰ univocatio/iter. A.

⁵¹ Ockham, *Commentarium* I, d. 2, q. 9. P et Q.

⁵² nullus/non A.

⁵³ acquirendam/adquirendum A.

⁵⁴ Ockham, *Commentarium* I, d. 2, q. 9. PR.

⁵⁵ Ockham, *Commentarium* I, d. 2, q. 9. PS.

⁵⁶ in/ut A.

⁵⁷ nec . . . est / om. A.

⁵⁸ Ockham, *Commentarium* I, d. 2, q. 9. PT.

⁵⁹ Potius ratione Doctoris Subtilis, cf. Ockham *Commentarium* I, d. 2, q. 9. I: "Quartum ostendam per unam rationem quam facit doctor iste subtilis . . .".

de conceptu cui iste denominativus attribuitur, ex quo non est simplex et proprius: aut dicitur in quid, et habetur propositum, aut denominative, et quaerendum ut prius in infinitum. Confirmatur, quia conceptus denominativus habet definitionem exprimentem quid nominis, in qua definitione ponitur aliquid in recto et aliquid in obliquo. Aut igitur quaelibet pars definitionis est conceptus denominativus aut non. Si non, <habetur> propositum, quia iste conceptus est quidditativus. Si sic, quaerendum est tunc de illa parte sicut prius et sic in infinitum.

Sexto, dicit⁶⁰ quod nihil est perfecte univocum Deo et creaturae sic quod creatura habeat perfectam similitudinem cum Deo qualis est in specie. Et ideo auctores negant ibi univocationem.

Septimo, addit⁶¹ quod commune univocum non est de intellectu inferiorum nec facit compositionem cum illis, sed solum est commune praedicabile de illis; ideo non ponit imperfectionem.

Octavo,⁶² quia conceptus univocus distinguitur uno modo contra proprium, et sic omnis conceptus communis unus est univocus sive sit conceptus absolutus sive⁶³ relativus, per se vel per accidens, contingenter conveniens ei vel necessario. Alio modo distinguitur contra denominativum, et sic solus conceptus per se superior abstrahibilis⁶⁴ est univocus illis quibus est communis.

Nono,⁶⁵ dicitur quod nullus conceptus dicitur de aliis analogice quia eidem nomini aut respondet unus conceptus, tunc est univocus, aut multi conceptus, tunc est aequivocatio.

<IMPUGNATIO OPINIONIS GUILLELMI DE OCKHAM>

Contra istam opinionem,⁶⁶ quantum ad illas tres rationes videtur dicendum quod istae tres rationes simul sunt unum bonum argumentum, ita quod prima et secunda⁶⁷ probent dicta assumpta.⁶⁸ Arguo igitur sic:⁶⁹ omnis intellectus habens unum conceptum certificantem ipsum et duplicem conceptum relinquentem ipsum esse dubium habet alium

⁶⁰ Ockham, *Commentarium* I, d. 2, q. 9. U.

⁶¹ Ockham, *Commentarium* I, d. 2, q. 9. U.

⁶² Ockham, *Commentarium* I, d. 2, q. 9. L.

⁶³ sive²/vel F.

⁶⁴ abstrahibilis/(?) AF.

⁶⁵ Ockham, *Commentarium* I, d. 2, q. 9. L.

⁶⁶ Gualterus oppugnat novem argumenta Guillelmi de Ockham. Hic Gualterus initium dat suae defensionis trium rationum Scoti pro univocitate et hoc modo oppugnat reiectionem Guillelmi de Ockham.

⁶⁷ secunda/tertia AF.

⁶⁸ Cf. supra, p. 95

⁶⁹ Cf. Scotus, *Ordinatio* I, d. 3, p. 1, q. 1—2, nn. 27, 29, 35—36 (III, 18—19; 21—24).

conceptum quo certificatur ab utroque conceptu relinquente ipsum dubium, quia idem conceptus non est certus et dubius. Sed viator habet conceptum entis virtute cuius certificatur de aliquo ipsum esse ens et duplicem conceptum relinquentem ipsum dubium, scilicet, conceptum finiti vel infiniti, quia neuter certificat ipsum utrum sit ens finitum vel infinitum; igitur habet alium conceptum entis a conceptu finiti vel infiniti, tunc ultra conceptus alios a conceptu finiti et infiniti. Si est simplex, non compositus ex⁷⁰ eis, tunc est totaliter alius. Sed conceptus entis⁷¹ est huiusmodi, quia nulla creatura causat conceptum perfectiorem conceptu sibi adaequato. Cum igitur conceptus infiniti esset perfectior conceptu adaequato creaturae, igitur creatura non causat illum. Sed causat conceptum entis. Igitur, conceptus infiniti non est pars conceptus entis, ita quod illa prima ratio et secunda probant diversa assumpta eiusdem argumenti. Similiter tertia conclusio probat quod conceptus transcendens sit alius a conceptu utriusque illorum, ideo idem probat cum primo argumento.⁷²

Contra secundum dictum istorum:⁷³ quid intelligitur per cognoscere Deum in se? Aut⁷⁴ quod talis cognitio habetur in via, intuitiva vel abstractiva, qualis habebitur in patria; sic nihil ad propositum. Aut intelligit, sicut videtur dicere, quod nullus actus habetur quo intelligatur Deus, nihil aliud intelligendo; <sed hoc> falsum est, quia sicut patet quaestione praecedente nihil mediat inter cognitionem et Deum quod sit obiectum cognitum. Nec prima ratio ad hoc⁷⁵ valet, quia, licet aliquis habeat unum conceptum simplicem proprium Deo, tamen⁷⁶ potest dubitare de conceptu complexo sibi aequivalente si partes repugnent. Nec secunda ratio valet quod nullus sic cognoscit sine intuitiva vel propria specie: hoc falsum est, quia frequenter est probatum conceptum simplicem proprium haberi mediante compositione.

Contra tertium dictum per idem,⁷⁷ quia probatum est alias quod contingit in via habere conceptum simplicem proprium, non talem qualis habetur mediante intuitiva; ideo caecus indiget visu ad acquirendum scientiam de colore. Cum hoc tamen stat quod alium conceptum proprium simplicem habere poterit qui causetur mediante aliqua compositione. Istam tamen conclusionem quod in via non habeatur conceptus

⁷⁰ ex/ab *A.*

⁷¹ entis/*om.* *A.*

⁷² Scotus, *Ordinatio* I, d. 3, p. 1, q. 1—2, n. 39 (III, 26—27).

⁷³ Cf. supra, p. 96.

⁷⁴ Aut/*interl.* *F.*

⁷⁵ ad hoc/adhuc *A.*

⁷⁶ tamen/tunc *A.*

⁷⁷ Cf. supra, p. 96.

simplex proprius Deo ante compositionem probavi deducendo ad eandem conclusionem, quia tunc nullus dubitaret Deum esse possibilem in re. Sed hoc probavi per istam propositionem: quilibet potest evidenter scire quod nulla sensatio nostra causat immediate conceptum proprium alicuius impossibilis, igitur si percipiat⁷⁸ istum conceptum ante compositionem, aliter non concederet se habere istum, sequitur quod nullus dubitaret et cetera. Item: sensatio non causat immediate conceptum per quem nec illa sensatio significatur, nec suum sensibile, nec in generali, nec in speciali.

Contra quartum dictum⁷⁹ et quintum simul:⁸⁰ si argumentum stat in ista forma sive plurali, tunc non concludit. Primo, quia aequè probas unum conceptum Deo et⁸¹ chimaerae, quia apprehendimus chimera non conceptu simplici sibi proprio, quia non videtur in se, igitur conceptu communi sibi et aliis, sic igitur conceptu communi⁸² in quid, et habetur propositum; aut conceptu denominativo, tunc quaero de isto conceptu cui attribuitur: aut est quidditativus, et sic in infinitum. Secundo, quia illud argumentum sic factum aequè probat processum in infinitum in conceptibus univocis, quod nescio si concederit. Consequentia patet, quia iste conceptus univocus potest accipi⁸³ a me non conceptu proprio quia non videtur intuitive, sicut alias fuit probatum, igitur conceptu communi. Ita arguo de illo in infinitum.

Specialiter arguo contra sextum dictum⁸⁴ istorum,⁸⁵ quia licet conclusio sit vera, tamen ipsi haberent dicere oppositum, saltem de multis conceptibus quos ponunt communes Deo et creaturae, sicut de conceptibus attributalibus. Dicunt enim in primo, distinctione tertia, quaestione tertia,⁸⁶ et in prologo suo, quaestione prima, articulo tertio, contra secundam opinionem,⁸⁷ quod conceptus attributales affirmativi qui⁸⁸ connotant rem extra sunt conceptus quidditativi respectu conceptus quem habet intellectus cum dicit 'Deus', et ideo quod ista praedicatio sit quidditativa et per se primo modo dicendi per se, sicut patet quae-

⁷⁸ percipiat/pertineat *A*.

⁷⁹ dictum/dubium *A*.

⁸⁰ Cf. supra, pp. 96—97.

⁸¹ et/creaturae *add. F*.

⁸² sibi . . . communi/*om. A*.

⁸³ accipi/concipi *F*.

⁸⁴ dictum/dubium *AF*.

⁸⁵ Cf. supra, p. 97.

⁸⁶ Ockham, *Commentarium* I, d. 3, q. 3 B—C.

⁸⁷ Ockham, *Commentarium*, Prol., q. 1, art. 3. X contra Scotum. Cf. Ockham, *Ordinatio*, Prol., q. II, art. 3 (*Opera Theologica* I, ed. G. Gál et S. Brown, St. Bonaventure, N. Y., 1967, pp. 103—109).

⁸⁸ qui/non *add. A*.

stione sexta prologi.⁸⁹ Tunc arguo: haec praedicatio est quidditativa: 'Deus est sapiens'. Et haec non est quidditativa: 'homo est sapiens'. Ergo, 'sapiens' non dicitur de eis univoce, quia non in quid utrobique. Similiter, haec est in quid pro Deo: 'sapientia est substantia' per eos, et non est in quid pro creatura. Igitur, non verificatur substantia univoce pro Deo et creatura. Similiter, ista praedicatio: 'sapientia est entitas substantialis' est⁹⁰ in quid pro Deo et non pro creatura.

Vel arguo sic: Probo quod habeant dicere quod conceptus substantiae non conveniat Deo et creaturae univoce, quia alia est descriptio quidditativa substantiae ut convenit Deo et alia ut convenit creaturae. Igitur non est ibi univocatio, quia conceptus sapientiae et alii conceptus attributales cadunt in formali descriptione substantiae ut convenit Deo et non ut convenit creaturae, quia haec est praedicatio in quid et per se primo modo dicendi per se pro Deo 'substantia est sapiens' et non pro creatura. Igitur, in formali descriptione substantiae ut convenit Deo cadit conceptus sapientis et non ut convenit creaturae.

Item, intellexi quod dicunt quod ille idem conceptus sapientiae qui est conceptus specificus in praedicamento qualitatis est conceptus attributalis et praedicatur in quid de conceptu Dei cum dicitur 'Deus est sapientia'. Sed de isto conceptu praedicantur quidditative pro creatura conceptus superiores in linea praedicamentali qualitatis. Si igitur conveniret Deo et creaturae univoce, ergo omnia praedicamenta superiora praedicamenti qualitatis convenirent Deo, et per consequens, sapientia Dei esset accidens et qualitas.

Contra septimum dictum⁹¹ patet quaestione praecedente, articulo tertio, dubio septimo.⁹²

Contra octavum dictum⁹³ non apparet conveniens Deo dividere conceptum proprium et conceptum univocum, quia conceptus proprius est maxime univocus. Similiter, aequae haberent dividere aequivocum contra commune et, per consequens, quod conceptus aliquis proprius esset aequivocus vel sic analogia non est in conceptibus. Igitur conceptus proprius eo ipso quod dividitur contra univocum oportet quod sit conceptus aequivocus; quod est⁹⁴ falsum, quia nullus conceptus est aequivocus.

⁸⁹ Ockham, *Commentarium*, Prol., q. 3. A Questio VI et C Respondetur. Cf. Ockham, *Ordinatio*, Prol., q. VI (*Opera Theologica* I, ed. G. Gál et S. Brown, St. Bonaventure, N. Y., 1967, pp. 180—181).

⁹⁰ est /interl. F.

⁹¹ Cf. supra, p. 97.

⁹² Cf. A ff. 137va—140ra.

⁹³ Cf. supra, p. 97.

⁹⁴ est /interl. F.

Contra nonum dictum istorum⁹⁵ videtur quod ipsi haberent ponere conceptum esse analogum aliquibus et nec univocum nec aequivocum eis, quia haec praedicatio est in quid in conceptibus 'album est album' et ista praedicatio in conceptibus 'homo est albus' est in quali; igitur conceptus albi non praedicatur univoce in illis propositionibus, quia in una in quid et in alia in quali accidentali. Et per consequens, ille conceptus non est ratio substantialis utriusque subiecti, et ita non convenit eis univoce, nec aequivoce, quia nullus unus conceptus est aequivocus; igitur, convenit eis analogice.

〈ARTICULUS II〉

Secundus articulus huius quaestionis est respondere ad questionem cum quaeritur utrum aliquis conceptus sit univocus Deo et creaturae. Potest quaeri ab oppositione: aut sumit univocum ut distinguitur contra aequivocum, aut ut distinguitur contra denominatum, aut ut distinguitur contra analogum. Primis duobus modis sumendo univocum videtur dicendum quod haec propositio particularis sit concedenda, scilicet, quod aliquis conceptus univocus est Deo et creaturae. Et haec est tanta univocatio quae sufficiat ad realem contradictionem et ad unitatem medii termini in bono syllogismo, sicut vult Doctor Subtilis.¹ Sumendo tamen univocum tertio modo, scilicet, distinguendo univocum contra analogum, sic nullus conceptus est communis Deo et creaturae univoce.

〈CONCLUSIONES PRINCIPALES〉

〈CONCLUSIO PRIMA〉

Prima igitur conclusio est quod sumendo univocum ut distinguitur contra aequivocum, sic aliquis conceptus communis Deo et creaturae convenit eis univoce, quia univoca univocata sunt illa quorum nomen commune est et ratio substantiae eadem secundum illud nomen. Sic enim aequivoca aequivocata sunt illa quorum nomen commune est et ratio substantiae diversa secundum illud nomen. Sicut igitur nomen aequivocum aequivocans est illud nomen quod est commune pluribus secundum rationes substantiae diversas, quia illud nomen aequivocat seu significat plura secundum rationes substantiae plures, ita nomen

⁹⁵ Cf. supra, p. 97.

¹ Scotus, *Ordinatio* I, d. 3, p. 1, q. 1—2, n. 26 (III, 18).

univocum univocans est illud quod est commune pluribus secundum eandem rationem substantiae, ita quod vocat plura secundum unam² rationem substantiae.³

Quaero igitur quid vocatur ibi ratio substantiae? Aut ipsa descriptio quae quidditative significat idem convertibiliter cum illo nomine; aut ipse conceptus mentis qui causatur in audiente vel habetur in mente proferentis cum illud nomen profertur pro diversis quibus convenit. Talis enim conceptus quidditative significans idem cum illo nomine dici potest respectu eius in ordine ad significatum ratio substantialis. Si intelligatur primo modo, tunc omne illud nomen est univocum quod est commune pluribus secundum eandem descriptionem significantem quidditative et convertibiliter idem cum illo nomine, et illud nomen aequivocum quod est commune pluribus secundum diversas definitiones alterius rationis secundum quas competit diversis aequae primo. Si intelligatur secundo modo, tunc illud est nomen univocum quod convenit pluribus et natum est causare in audiente cum profertur pro pluribus conceptum eiusdem rationis, ut quia cum profertur ista propositio 'homo est animal', li 'animal' causat in audiente talem conceptum qualem causat praedicatum istius propositionis 'asinus est animal', ideo dicimus quod secundum eandem intelligentiam rationis convenit pluribus. Eodem modo est dicendum de ratione seu conceptu qui habetur in mente proferentis vocem. Isto modo nomen aequivocum est illud quod convenit pluribus secundum conceptus quidditativos in mente proferentis vel audientis quidditative significantes aequae primo idem cum illo nomine. Et forte diceretur quod ad hoc quod nomen significet aliqua univocitate non oportet quod possit habere definitionem secum convertibilem, nam ipsa definitio specifica convenit individuis univoce et tamen non habet aliquam definitionem, quia sic iretur in infinitum. Ex his sequitur quod, cum dicitur in definitione univoca quod ratio substantiae sit eadem, quod ibi sumatur ratio substantiae secundo modo et non primo modo, vel si sumatur primo modo, oportet dicere quod li 'eadem' significet ibi 'idem et non diversa' ut sit sensus: univoca sunt quorum nomen commune est et ratio substantiae, quasi definitio, non est diversa secundum illud nomen.

Ex istis patet conclusio supradicta, scilicet, ut sumendo univocum ut distinguitur contra aequivocum, conceptus aliquis est communis univoce Deo et creaturae, quia nomen entis est nomen univocum respectu Dei et creaturae ad illum intellectum. Igitur, conceptus sibi correspondens

² secundum unam/in una *A*.

³ Cf. Aristoteles, *Praedicamenta* cap. 1^o (1a 1—11).

significans idem quidditative cum illo nomine est conceptus univocus. Antecedens patet, quia omne nomen commune multis secundum eandem rationem seu conceptum substantialiter significantem idem cum illo nomine, est nomen univocum illis. Ista propositio patet ex dictis. Sed nomen entis est huiusmodi: est enim nomen commune omnibus entibus. Et quod conveniat omnibus secundum unam rationem seu unum conceptum significantem idem cum illo nomine, istud probari potest primo, quia conceptus entis natus est causari, mediante univocatione confusissima, ante compositionem et divisionem; igitur, est conceptus unus simplex. Consequentia patet, quia conceptus copulatus vel disiunctus non praecedit omnem compositionem. Visio etiam confusissima non causat immediate conceptus proprios substantiae et accidentis, quia tunc non esset confusissima eo quod per eam natum esset sciri de re visa non solum quod esset ens, sed etiam quod esset substantia. Antecedens probo, quia si aliquid significare videretur intuitive ita imperfecte quod virtute istius visionis intellectus natus esset solum esse certum rem visam esse ens, tunc mediante ista visione causaretur in intellectu conceptus universalis correspondens illi quo denominatur dicendo quod est ens; et illud non est nisi conceptus entis, quia si esset conceptus aliquis inferior, tunc virtute istius visionis non cognosceretur solum quod esset ens, et hoc est contra positionem.

Confirmatur istud, quia virtute talis visionis non causatur conceptus in intellectu immediate et primo nisi conceptus proprius vel communis illius visibilis vel illius visionis, et per consequens, si illud visibile sit substantia, non causatur immediate et primo proprius conceptus accidentis, et si accidens, non causatur proprius conceptus substantiae saltem immediate et primo. Quando igitur intellectus virtute istius visionis componit istam propositionem 'res visa est ens', aut praedicatum istius propositionis est unus conceptus simplex et habetur propositum, aut sunt ibi plures conceptus, sicut proprius conceptus substantiae et proprius conceptus accidentis et proprius conceptus Dei. Hoc falsum <est>, sicut est probatum. Igitur, et cetera.

Secundo, quia experimur nos posse formare conceptum magis confusum vel minus confusum secundum maiorem convenientiam in re. Experimur enim quod propter convenientiam specificam Sortis ad Platonem intellectus assentit quod Sortes et Plato sic conveniunt quod uterque est homo. Hinc, formando propositionem, habetur⁴ a parte praedicati conceptus communis utrique. Eodem modo de conceptu

⁴ habetur/habet *A*.

animalis, propter convenientiam omnium animalium convenientia sibi correspondente. Et ita de conceptu substantiae propter convenientiam substantiarum. Igitur eadem ratione cum omnia entia conveniant aliqua tali convenientia, quod verum est dicere quod quodlibet istorum est ens, non apparet quin intellectus abstrahat conceptum commune omni enti sicut abstrahit conceptum substantiae commune.

Tertio, ad istud procedit argumentum Doctoris Subtilis⁵ quia conceptus entis nec est idem cum conceptu substantiae, nec idem cum conceptu accidentis, nec idem cum conceptu Dei, nec includit plures istorum simul; igitur est conceptus unus totaliter alius ab eis. Et eodem modo arguendum est de conceptu finiti et infiniti, et quibuscumque conceptibus diversis qui ponerentur includi in conceptu entis, et per consequens, oportet ponere quod conceptus entis sit unus conceptus simplex non includens explicite plures conceptus.

Assumptum patet:⁶ Ponatur quod aliquis videret unum accidens tali visione qua esset certus quod res visa esset ens et ignoret utrum esset substantia vel accidens; tunc, cum formaret intellectu istam propositionem 'haec res visa est ens', quaero utrum praedicatum istius propositionis sit talis conceptus, qualis praedicatur in ista propositione 'haec res visa est substantia', et si sic, tunc non plus est una propositio sibi certa quam alia, quod est contra positionem; aut est talis conceptus, qualis praedicatur in ista 'haec res visa est accidens' vel etiam in ista 'haec res visa est Deus' et si sic, tunc non plus est ista propositio sibi certa quam aliqua istarum; aut est talis conceptus, qualis praedicatur in ista 'haec res visa est Deus vel creatura'; sed hoc non est dandum, quia nulla creatura causat conceptum perfectiorem conceptu adaequato; igitur, cum proprius conceptus substantiae vel etiam Dei sit perfectior conceptu adaequato accidentis, sequitur quod accidens non causat proprium conceptum Dei vel substantiae. Sed mediante visione sui causare potest conceptum entis. Igitur conceptus entis non includit proprium conceptum substantiae nec etiam includit proprium conceptum Dei. Patet igitur quod nomen entis est univocum, quia nomen est idem et convenit omnibus secundum eandem rationem, scilicet, secundum eundem conceptum qui significat quidditative idem cum illo nomine secundum impositionem quam mos habet. Ex quo sequitur, ut dictum est, quod conceptus iste sit univocus omnibus, quia significat sic idem a demonstrato cum isto nomine. Quia definitio univocorum

⁵ Scotus, *Ordinatio* I, d. 3, p. 1, qu. 3, nn. 139, 145—146 (III, 86—87, 90—91).

⁶ Scotus, *Ordinatio* I, d. 3, p. 1, qu. 1—2, nn. 27, 35—36 (III, 18, 21—24).

in *Praedicamentis*⁷ aut est data indifferenter de vocibus universaliter et de conceptibus, tunc habetur propositum, quia si vox ista sit univoca, igitur et conceptus sibi adaequate correspondens, nam vox ideo est univoca quia convenit omnibus secundum idem nomen et secundum eundem conceptum, ita quod non secundum diversas definitiones, igitur similiter iste conceptus est univocus, quia convenit omnibus secundum eundem conceptum, ita quod non propter diversas definitiones; aut ista definitio univocorum est solum data de vocibus et adhuc sequitur quod ille conceptus sit univocus ad istum intellectum, scilicet, quod idem significat quidditative et adaequate cum voce univoca, ut patet ex dictis.

Et similiter ad istum intellectum, quod si aliquis talis conceptus transcendens describatur, competit omnibus inferioribus secundum eandem descriptionem.

Similiter etiam ad intellectum istum, quod significat multa et non aequivoce, quia non secundum diversas rationes, igitur, univoce prout univocum distinguitur contra aequivocum.

Est igitur prima conclusio principalis quod, sumendo univocum ut distinguitur contra aequivocum, conceptus aliquis est communis Deo et creaturae non aequivoce et secundum rationes diversas, igitur univoce sic sumendo univocum.

<CONCLUSIO SECUNDA>

Secunda conclusio principalis est quod, sumendo univocum ut distinguitur contra denominatum, adhuc aliquis conceptus est univocus Deo et creaturae, quia aliquis idem conceptus simplex convenit eis in quid seu per se, primo modo dicendi per se, ut conceptus entis. Haec enim praedicatio est in quid, dicendo praedicationem in quid contra praedicationem denominativam: 'Deus est ens'; et haec similiter: 'substantia est ens'; et etiam ista: 'accidens est ens'; igitur, conceptus aliquis convenit eis univoce ad istum intellectum.

Assumptum patet primo quantum ad hoc quod est unus conceptus et simplex. Sed quod istae praedicationes: 'Deus est ens' et 'substantia est ens', 'accidens est ens' sint praedicationes in quid, distinguendo praedicationem in quid contra praedicationem denominativam, hoc probo sic.

Primo, quia in isto syllogismo: 'omnis substantia est ens; Deus est substantia; igitur, Deus est ens', utraque praemissa est praedicatio in

⁷ Aristotelis, *Praedicamenta* cap. 1^o (1a 6—11).

quid, igitur conclusio est praedicatio in quid, quia conclusio non est minus essentialis praedicatio utraque praemissarum, sicut nec conclusio potest esse minus necessaria utraque praemissarum. Assumptum patet, quia utriusque praemissarum praedicatum est per se superius ad subiectum secundum coordinationem directam praedicabilium; secundum enim directam istorum praedicabilium coordinationem in quibus Deus convenit cum aliis substantiis subordinantur directe isti conceptus Deo: substantia est ens in tantum quod, si Deus deberet describi descriptione formali secundum conceptum Deitatis, conceptus substantiae poneretur in ea, et si deberet describi secundum conceptum substantiae conceptus entis caderet in ea eo quod est suum per se superius secundum istam coordinationem directam. Eodem modo arguendum est de ista propositione: 'accidens est ens'.

Secundo sic: conceptus entis essentialiter describitur tam pro Deo quam pro creatura cum dicitur 'omne ens est aliquid', vel cum dicitur quod 'omne ens est res', quia ista praedicatio est essentialis pro rebus pro quibus verificatur propositio, non solum pro Deo sed etiam pro creatura. Tunc arguo: essentialiter describitur pro Deo, igitur natus est essentialiter verificari de aliquo proprio conceptu Dei. Sed non apparet quin aequè verificatur de conceptu cui subicitur in ista propositione: 'Deus est ens' sicut in quocumque alio conceptu Dei proprio, quia aequè abstrahitur a Deo secundum istum conceptum sicut secundum aliquem alium conceptum eius proprium; igitur, haec est praedicatio essentialis: 'Deus est ens'. Similiter notandum est de quacumque creatura quantum ad conceptum illum quo reponitur directe in genere. Vel arguatur sic: conceptus entis natus est essentialiter distribui pro Deo et pro creatura. Igitur, natus est essentialiter verificari de aliquo conceptu proprio Dei et de aliquo conceptu proprio creaturae et, per consequens, praedicatur univoce de Deo et creatura, sumendo praedicationem univocam ut distinguitur contra denominativam praedicationem.

Tertio sic: in propositione ista 'Deus non est ens' praedicatum repugnat subiecto essentialiter et quidditative, quia non minus essentialiter convenit Deo secundum conceptum Divinitatis quod sit ens, quam ei repugnet esse non-ens enti oppositum. Eodem modo arguendum est tam de substantia quam de accidente.

Est igitur secunda conclusio principalis quod conceptus aliquis est communis Deo et creaturae univoce prout univocum distinguitur contra denominativum, quia haec praedicatio est in quid demonstrando Deum: 'hoc ens est ens'; et similiter demonstrando quamcumque substantiam hoc est in quid: 'hoc ens est ens'; et similiter demonstrando accidens

hoc est in quid: 'hoc ens est ens'. Igitur, conceptus entis convenit tam Deo quam creaturae in quid et per consequens univoce ad istum intellectum. Assumptum patet, quia ista praedicatio 'Deus est Deus' aut est in quid, et habetur propositum, aut est praedicatio denominativa, tunc reducitur ad aliam praedicationem essentialem pro eadem re. Si enim verificatur de uno conceptu rei denominative, verificatur de alio conceptu illius rei essentialiter et quidditative. Sed maxime hoc videtur in ista praedicatione: 'hoc ens est ens'. Et eodem modo arguendum est de substantia creata et similiter de accidente.

〈CONCLUSIO TERTIA〉

Tertia conclusio principalis est quod, sumendo univocum ut distinguitur contra analogum, nullus conceptus communis Deo et creaturae est univocus. Tribus enim modis quantum ad propositum potest poni analogia conceptus vel nominis.

Uno modo quando conceptus praedicatur de uno in quid et de alio in quali accidentali, tunc enim per prius, id est, essentialius praedicatur de uno quam de alio, sicut cum dicitur pro creatura: 'sapiens est sapiens' et 'homo est sapiens'. Illa enim est praedicatio essentialis et ista accidentalis, et ideo dico 'accidentalis' quia ibi est denominatio subiecti ab accidente quae est res distincta a subiecto. Ista enim praedicatio accidentalis non est vera nisi alia praedicatio essentialis sit vera si propositio formetur.

Secundus modus analogiae potest poni ubi conceptus denominat unum denominatione intrinseca: 'animal' cum dicimus quod animal est sanum, et denominat aliud nominatione extrinseca: 'urinam', cum dicimus quod urina est sana: aequivalet enim isti: urina est signum sanitatis; cum etiam dicimus quod dieta est sana, quia aequivalet isti:⁸ dieta est creativa sanitatis. In isto enim modo ad hoc quod verum sit dicere quod urina est sana, requiritur quod verum sit dicere quod animal sit sanum.

Tertius modus analogiae potest poni quando scilicet conceptus convenit uni rei perfectiori et alteri imperfectiori, tamen non convenit naturaliter imperfectiori nisi quando dependet a perfectiori, vel saltem ad hoc quod conveniat imperfectiori requiritur quod ipsum 〈sit〉 natum naturaliter dependere a perfectiori, sicut conceptus entis convenit substantiae et accidenti, accidens enim est ens quia entis, cum eius esse sit inesse ad istum intellectum.

⁸ urina . . . isti/*om. A.*

Ad propositum potest dici quod sumendo univocum contra analogum isto tertio modo nullus conceptus Deo et creaturae est eis univocus, quia iste conceptus convenit Deo sicut enti perfectiori et creaturae sicut enti imperfectiori; et ad hoc quod conveniat creaturae, requiritur quod dependeat ad Deum actualiter si est vel potentialiter si est in potentia. Convenit etiam substantiae et accidenti, sed non convenit accidenti naturaliter nisi quando dependet ad substantiam. Ideo, isto posito, sumendo univocum, conceptus entis non est univocus Deo et creaturae nec etiam conceptus attributales communes Deo et creaturae.

〈OCTO OBJECTIONES CIRCA PRAEDICTA〉

Contra ista obicio. Primo, quia ipsa conclusio implicat quod aliquis conceptus sit aequivocus. Sed hoc est falsum, quia iste conceptus aut esset simplex aut compositus, sed non tertio modo, quia eo ipso quod est unus conceptus convenit omnibus illis quibus convenit per eandem rationem et non per definitiones diversas.

Secundo, videtur quod rationes secundae conclusionis aequae probant quod haec sit praedicatio in quid: 'Deus est sapiens', quia conceptus 'sapiens' est per se superius ad Deum.⁹

Tertio,¹⁰ videtur quod conclusio tertia sit falsa, nam analogia non impedit univocum, quia conceptus generis per prius dicitur de una specie quam de alia et tamen est univocus eis.

Quarto, sequitur quod conceptus sapientiae non praedicetur univoce de conceptu Dei cum dicitur 'Deus est sapiens' et de conceptu sapientis cum dicitur 'sapiens est¹¹ sapiens', quia in una praedicatur in quid et in alia in quali per te, et iste est unus modus analogiae secundum dicta.

Quinto, videtur sequi quod conceptus entis sit univocus enti et non-enti sicut Deo et chimerae, et sic verum esset dicere quod non-ens sit ens. Assumptum patet, quia unus conceptus et non per rationes diversas potest convenire eis, primo, quia ens dividitur in ens in anima et ens extra animam; igitur, nullus conceptus est communis eis. Secundo, quia rationes primae conclusionis aequae probant hoc, sicut patet. Possum enim habere unam cognitionem de aliquo per quam certus sum et cogito de ente cogitabili et tamen dubito utrum sit ens possibile vel impossibile. Igitur, cum dico 'ens cogitabile' habeo conceptum communem enti possibili et impossibili.

Sexto, videtur concedendum quod sit processus in infinitum in conceptibus univocis, quia habendo conceptum entis, possum ab alio

⁹ Secundo . . . Deum/*om.* A.

¹⁰ Tertio/*secundo* A.

¹¹ est/*sapientia divina est add.* A.

conceptu et ab aliis entibus abstrahere alium conceptum, et sic in infinitum.

Septimo, videtur sequi quod Deus et creatura assimilantur, quia quae univocantur assimilantur.

Octavo, videtur sequi quod auctores sint negandi, quia ubicumque Aristoteles¹² et Commentator¹³ et Porphyrius¹⁴ et alii ponunt¹⁵ ens aequivocum et non univocum et ponunt exemplum de sano.

<RESPONSIO AD OBJECTIONES>

<SOLUTIO PRIMAE OBJECTIONIS>

Ad primum istorum¹⁶ dicendum quod ibi in probando primam conclusionem non est dictum quod aliquis unus conceptus sit aequivocus, sed solum quod conceptus aliquis sit univocus ita quod non aequivocus.

Dubium tamen est de conceptu disiuncto utrum sit aequivocus. Videtur quod sic.

Primo, quia convenit pluribus per rationes diversas, ut patet de isto conceptu disiuncto 'substantia vel accidens', quia iste conceptus disiunctus convenit omnibus substantiis per conceptum substantiae et omnibus accidentibus per conceptum accidentis, ita quod ratione diversorum conceptuum quos includit convenit diversis.

Secundo, quia si unitas conceptus disiuncti vitet aequivocationem, tunc nullum nomen commune est aequivocum, quia conceptus disiunctus ex conceptibus sibi correspondentibus esset univocus et per illud nomen conveniret omnibus suis significatis sub eadem ratione. Conceptus disiunctus, ut hoc nomen 'canis', esset nomen commune multis secundum istum unum conceptum disiunctum: 'animal latrabile vel caeleste sidus vel marina bellua', et hoc per te sufficit ad univocationem. Igitur, non est nomen aequivocum sed univocum. Sed consequens est falsum, igitur antecedens, scilicet quod conceptus disiunctus¹⁷ sit univocus.

Tertio, quia doctores solent dicere quod conceptus entis non est univocus, quia posuerunt conceptum istum esse conceptum distinctum, ita quod esset idem quod iste conceptus disiunctus 'finitum vel infinitum' vel 'substantia vel accidens' vel alius consimilis.

Quarto, quia, licet positi sunt tres modi analogiae, tamen quartus modus analogiae potest poni, scilicet, quando conceptus disiunctus¹⁸

¹² Aristoteles, *IV^o Metaphysicae*, cap. 2^o (1003a 33—35).

¹³ Averroes, *In IV^{um} Metaphysicae*, commentum 2^o (VIII, 65 D—I).

¹⁴ Porphyrius, *Isagoge Porphyrii*, cap. 3^o, De Specie (12, 2—5—ed. Laurentius Minio-Paluello, *Aristoteles Latinus I* 6—7, Bruges-Paris, 1966).

¹⁵ ponunt/ponit *A*.

¹⁶ Cf. supra, p. 108.

¹⁷ disiunctus/distinctus (?) *A*.

¹⁸ disiunctus/est *add. A*.

ex diversis conceptibus quorum unus est principalior alio, convenit multis. Ista attributio est quaedam aequivocatio, quia convenit per rationes diversas ex quibus intelligatur. Ideo solet dici quod convenit multis per attributionem. Quod potest intelligi sic: quod est conceptus coniunctus intentus ex conceptibus diversis quorum unus attribuitur alteri sicut minus principalis principali, et per rationes illas diversas quas includit convenit diversis. Ista conclusio posset probabiliter muniri.

Qui tamen tenere voluerit aliam viam potest dicere quod sit conceptus univocus et non aequivocus, immo quod nullus conceptus communis est aequivocus:

Primo, quia si conveniat multis, hoc erit secundum eandem rationem et non secundum diversas. Aut enim est conceptus simplex, tunc patet quod non convenit suis significatis sub diversa ratione; aut conceptus disiunctus, adhuc conveniret significatis suis sub ratione totius disiuncti et, per consequens, sub una ratione disiuncta, ita quod Sortes est substantia vel accidens, non solum quia est verum dicere quod est substantia, sed quia est verum dicere quod Sortes est contentus sub hoc quod dico substantia vel accidens.

Secundo, quia aliter nullum nomen commune esset univocum nam conceptus disiunctus ex propriis conceptibus inferiorum adaequate¹⁹ sibi correspondet. Si igitur iste conceptus esset aequivocus, tunc nomen illud non esset univocatum sed magis aequivocatum.

Tertio, sequeretur²⁰ quod, cum genus dividitur in differentias, ex quo dividitur per differentias invicem disiunctas, sequitur quod genus non potest univoce descendere in species nec definitio poterit congregari nisi mediante conceptu aequivoco.

Quarto, quia unitas conceptus disiuncti sufficit ad realem contradictionem et sufficit ad unitatem medii termini in bono syllogismo. Igitur, non est aequivocum.

Quinto, quia praedicatur de inferioribus. Haec enim videtur praedicatio in quid: 'homo est rationalis vel irrationalis'. Saltem ista est in quid: 'Sortes est homo vel animal'. Et ista similiter: 'homo est animal vel rationale'.

Sexto, quia iste conceptus complexus: 'animal rationale' non est conceptus aequivocus, quia est definitio hominis et convenit univoce inferioribus sicut conceptus specificus. Igitur, nec iste conceptus aequivocus 'animal vel rationale', quia haec disiunctio 'vel' non facit eum aequivocari.

¹⁹ adaequate/aequate *A. F.*

²⁰ sequeretur quod/*add. A. F.*

Qui autem teneret istud diceret ad primum²¹ in oppositum quod conceptus disiunctus convenit suis inferioribus sub eadem ratione disiuncta et hoc sufficit ad univocationem, ita quod haec dictio 'substantia vel accidens' non solum convenit substantiis sub conceptu substantiae, sed etiam sub hoc totali conceptu disiuncto 'substantia vel accidens'. Et iste conceptus est unus univoce, quod sufficit.

Ad secundum: vox est aequivoca, quia significat diversa secundum conceptus alterius rationis, nec copulatos ad invicem nec disiunctos, sed imponitur ita ad significandum unum secundum unum conceptum; aut si non, imponderetur ad significandum alium; et ideo non imponitur ad significandum idem cum conceptu disiuncto.

Ad argumentum concedi potest quod aliquis potest esse conceptus distinctus a conceptibus omnibus correspondentibus illi nomini, et iste conceptus distinctus forte poneretur univocus. Sed ex hoc non sequitur quod illud nomen sit univocum, quia ista vox non significat quodlibet suum significatum sub ista ratione distincta, sed significat unum sub ratione una, ac si illa ratio nec esset disiuncta nec alteri copulata, et significat aliud sub alia ratione, ac²⁴ si ista ratio nec esset copulata nec disiuncta cum ista, sed vox disiuncta significat et convenit multis sub una ratione distincta, ut haec vox disiuncta 'animal latrabile vel caeleste sidus vel marina bellina'. Tale enim disiunctum aequivalet²⁵ termino distributabili in propositione universali cum dicitur 'omne quod est animal latrabile vel caeleste sidus vel marina bellina est substantia'. Haec enim propositio de subiecto disiuncto est vera et similiter²⁶ subiectum tam propositionis in voce quam in conceptu est aequaliter univocum.

Ad tertium,²⁷ qui tenent istam conclusionem discordare videntur a doctoribus qui hoc dicunt, si negent conceptum entis esse univocum ut distinguitur contra aequivocum. Forte tamen intellexerunt quod conceptus entis non esset univocus ut univocum distinguitur contra analogum, et hoc stat cum isto, quia simul stant de conceptu simplici quam de conceptu disiuncto quod non sit univocus ut univocum distinguitur contra analogum²⁸ et tamen quod sit univocus ut univocum distinguitur contra aequivocum.

²¹ Cf. supra, 109.

²² Cf. supra, 109.

²³ ac/aut *A*.

²⁴ ac/aut *A*.

²⁵ aequivalet/est valet *A*.

²⁶ similiter/per consequens *F*.

²⁷ Cf. supra, 109.

²⁸ analogum . . . contra/*om.* *A*.

Ad quantum²⁹ non oportet ponere propter illam rationem quantum modum analogiae, quia, sive inter conceptus quos includit unus sit alio principalior sive non, saltem si conveniat analogice Deo et creaturae, vel substantiae et accidenti, hoc videtur ponendum quod tertio modo analogiae, quia non convenit naturaliter rei imperfectiori nisi quando conservatur ab illo perfectiori vel dependet ad eam.

<SOLUTIO SECUNDAE OBIECTIONIS>

Ad secundam obiectionem principalem,³⁰ cum dicitur de ista praedicatione 'Deus est sapiens', dico quod rationes illius secundae conclusionis non probant quod haec sit praedicatio in quid seu primo modo dicendi per se: 'Deus est sapiens', quia cum dicitur 'Deus est³¹ sapiens' praedicatum et subiectum non sunt conceptus ingredientes coordinationem praedicabilium, sicut patet quaestione tertia prologi, articulo primo;³² sed non est sic in proposito, quia cum dicitur 'omnis substantia est ens', hic praedicatur per se superius de per se inferiori secundum eandem coordinationem conceptuum. Ideo assumpta in argumentis valent hic et non valent ibi.

<SOLUTIO TERTIAE OBIECTIONIS>

Ad tertiam obiectionem³³ dicendum quod analogia non impedit univocationem distinctam contra aequivocationem qua aliquis <conceptus> aequae convenit pluribus secundum rationes diversas. Talis forte analogia convenit generi et haec analogia vocatur aequivoca, cum dicitur quod 'in genere latent aequivocationes'.³⁴ Tamen non est aequivocatio proprie dicta, scilicet quando nomen convenit pluribus secundum rationes substantiae diversas. Sumendo autem univocationem stricte prout distinguitur contra analogiam, talis univocatio non est ubi est analogia sibi opposita.

²⁹ Cf. supra, pp. 109—110.

³⁰ Cf. supra, p. 108.

³¹ est/om. A.

³² De hoc probemate valde diffuse agit in Prologo, qu. 3, art. 1, A ff. 211a—271a. Cf. A f. 271a: "Ex istis apparet utraque conclusio posita in positione. Prima est quod haec non sit praedicatio per se primo modo 'Deus est sapiens vel sapientia', quia praedicatum non cadit in formali descriptione subiecti pro re quam significat. Licet enim conceptus sapientiae sit per se superior ad aliquem conceptum illius rei in coordinatione conceptuum per quos illa res convenit cum sapientia creata, tamen non est per se superior respectu conceptus qui subicitur in ista 'Deus est sapiens' perseitate primo modo dicendi per se quia istae conceptus subordinatur cum conceptibus in quibus illa res convenit cum substantiis creatis . . ."

³³ Cf. supra, p. 108. Cf. Scotus, *Ordinatio* I, d. 3, p. 1, qu. 3, n. 163 (III, 100—101).

³⁴ Aristoteles, *VII^o Physicorum*, cap. 4^o (249a 21—23).

〈SOLUTIO QUARTAE OBJECTIONIS〉

Ad quartam objectionem³⁵ principalem: non est dictum supra quod generaliter ubicumque conceptus aliquis praedicatur in quid de uno conceptu et in quali de alio conceptu, quod tunc praedicetur³⁶ de eis analogice. Hoc enim nec est concessum nec negatum ibi. Sed dictum est ibi quod, ubi conceptus aliquis praedicatur de uno conceptu in quid et de alio in quali accidentali, scilicet praedicatione in quali guae sumitur ab accidente realiter distincto, ibi potest poni unus modus analogiae; sed ita non est in proposito.

Contra: Ideo ponis ibi analogiam, quia de uno praedicatur in quid et de alio in quali; hoc enim est ibi praedicari per prius et per posterius. Igitur similiter debet poni ubi est praedicatio in quid et in quali pro eadem re, quia praedicatum per prius, id est essentialius, praedicatur de illo conceptu de quo praedicatur in quid quam de illo de quo praedicatur in quali.

Dicendum quod sive consequens sit verum sive falsum, consequentia potest negari, quia non sequitur: ubi est talis praedicatio in quali qualis³⁷ habet ortum ex distinctione inter substantiam et accidens, ibi est analogia; igitur, ubi est qualitercumque praedicatio in quali, ibi est analogia. Patet enim quod non sequitur, sed est fallacia consequentis. Dicitur enim quod analogia requirat distinctionem rerum quarum una denominetur ab alia, ita quod ibi sit attributio rei ad rem actu vel potentia ad hoc quod illa denominatio verificetur utrobique. Dicitur igitur quod, licet non ponatur haec species analogiae ubicumque ubi conceptus praedicatur de uno in quid et de alio in quali, tamen ponenda est ubi est attributio rei ad rem, propter quam conceptus dicitur de uno in quid et de alio in quali, et sic est in proposito.

〈SOLUTIO QUINTAE OBJECTIONIS〉

Ad quintam objectionem³⁸ potest dici quod potest haberi unus conceptus significans omne cogitabile tam possibile quam impossibile, sicut patet de isto conceptu cum dicitur cogitabile seu intelligibile. Et forte cum dicitur quod ens dividitur in ens in anima et extra animam, ibi nomen entis idem significat quod hoc nomen cogitabile vel hoc nomen intelligibile seu cogitabile. Tale enim nomen seu talis conceptus est communis in significando quodcumque cogitabile, saltem quodcumque

³⁵ Cf. supra, p. 108.

³⁶ quod tunc praedicetur/de quo praedicatur *A*.

³⁷ qualis/(?) *A*.

³⁸ Cf. supra, p. 108.

cogitabile quod non est ipsemet conceptus nec est conceptus contradictorius. Unde cum dicimus quod omne cogitabile est cogitabile, subiectum dicitur univociter. Videtur igitur dicendum ad argumentum quod sumendo univocum ut distinguitur contra aequivocum, quod talis conceptus haberi potest, sicut probat ratio.

⟨SOLUTIO SEXTAE OBJECTIONIS⟩

Ad sextam objectionem³⁹ potest dici uno modo concedendo conclusionem quod sit possibilis processus in infinitum in actibus reflexis. Abstrahendo enim conceptum unum transcendentem, si postea abstrahatur alius qui sit communis illi conceptui et aliis rebus, tunc iste conceptus secundus est reflexus quodammodo, quia habet praecedentem pro obiecto et in talibus non est conveniens concedere possibilem processum in infinitum.

Contra: tunc non esset ibi dare conceptum communissimum a quo intellectus posset incipere divisionem vel descenderet dividendo et componendo ad congregandum propriam descriptionem alterius.

Potest dici quod sufficit quod incipiat a divisione entis divisibilis in ens in anima et extra. Licet enim sit possibile procedere ad communissimum secundum istam viam, tamen homo non procedere indiget ad communio-riorem conceptum quam ad conceptum communem entibus in anima et extra animam.

Alio modo potest dici quod conceptus iste entis qui est communis in anima et extra est communissimus possibilis, ita quod nullus communior eo inter conceptus simplices est possibilis, quia conceptus iste aut significat semetipsum et omnia cognoscibilia, aut non significat semetipsum. Si semetipsum, tunc nullus potest esse conceptus qui sit communior eo, quia et significat se et alia omnia entia actu et potentia et etiam omnia cognoscibilia. Cum igitur omnes alii conceptus qui possint abstrahi sint quaedam cognoscibilia, sequitur quod concipiantur aliquo modo isto conceptu et per consequens nullus conceptus possibilis erit communior isto. Si non significet semetipsum eo quod numquam conceptus est obiectum suiipsius etiam in transcendentibus, adhuc sequitur quod nullus possit esse communior isto, quia sicut iste ⟨non⟩ habet semetipsum pro obiecto, ita nec ille haberet semetipsum pro obiecto, et per consequens, sicut iste significat omnia cognoscibilia praeter semetipsum, ita et ille et ita neuter communior alio.

³⁹ Cf. supra, p. 108.

Contra utrumque membrum syllogismi: iste terminus disiunctus 'ens vel non-ens' est terminus communior ente, quia omne ens est ens et non e contra, dicendum quod aut loqueris de ente communi quod dividitur in ens in anima et extra, tunc negandum est assumptum, quia sicut conceditur quod omne ens in anima vel extra est ens vel non-ens, ita e contra concederetur quod omne ens vel non-ens est ens in anima vel extra; aut loqueris de ente strictius loquendo, scilicet de ente quod solum dividitur in actu et in potentia, sic non est ad propositum quia loquor de ente primo modo.

⟨SOLUTIO SEPTIMAE OBJECTIONIS⟩

Ad septimam objectionem:⁴⁰ quae⁴¹ univocantur specie, assimilantur specie; quae autem⁴² univocantur genere, magis proprie deberet dici convenire convenientia generis quam assimilari; quae autem sunt entia quibus conceptus iste est communis, proportionantur in ente et conveniunt in hoc quod quodlibet eorum est ens et tamen non assimilantur.

Aliter potest dici quod quae univocantur univocatione distincta contra analogiam, assimilantur aliququaliter conceptus; quae autem univocantur univocatione distincta contra aequivocationem proprie dictam, scilicet, quorum est unus conceptus non aequivocus, non oportet ponere quod omnia talia assimilentur assimilatione proprie dicta, licet convenient tali convenientia quod unus conceptus poterit ea significare. Immo, entium et non-entium potest esse unus conceptus, qui tamen non convenit convenientia reali in actu, quae scilicet sit realis a parte utriusque extremi.

⟨SOLUTIO OCTAVAE OBJECTIONIS⟩

Ad octavam objectionem⁴³ notandum quod aequivocum aliquando sumitur proprie, scilicet pro nomine quod convenit pluribus per rationes diversas, qualiter aequivoca definiuntur in *Praedicamentis*.⁴⁴ Auctoritates autem quae dicunt quod ens est aequivocum sumunt aequivocum pro analogo. Ideo concedendum est quod ens non est aequivocum prout aequivocum distinguitur contra analogum, tamen cum hoc stat quod sit univocum prout univocum distinguitur contra aequivocum proprie dictum, qualiter aequivoca definiuntur in *Praedicamentis*.⁴⁵

⁴⁰ quae/quod *A*.

⁴¹ quae autem/quia aut *A*.

⁴² Cf. supra, p. 109.

⁴³ Cf. supra, p. 109.

⁴⁴ Aristoteles, *Praedicamenta* cap. 1^o (1a 1—6).

⁴⁵ Aristoteles, *Praedicamenta* cap. 1^o (1a 1—6).

Ad exemplum de sano: ens enim se habet ad ea quibus convenit sicut conceptus sani se habet ad animal et dietam, non quod sit simile quantum ad istud, quia sicut nomen sani convenit principaliter animali et minus principaliter⁴⁶ dietae et urinae,⁴⁷ ita nomen entis convenit principaliter substantiae et minus principaliter accidenti. Vel dicendum quod est simile quantum ad istud quod, sicut denominatio sani vere convenit dietae a sanitate animalis cui denominatio sani convenit principaliter, ita accidenti convenit a substantia quod sit ens,⁴⁸ quia substantia est principaliter ens. Sed est dissimile quantum ad hoc quod dieta dicitur sana sola denominatione extrinseca, quia nulla est sanitas realiter in urina, sed accidens dicitur ens non sola denominatione extrinseca sed ex natura propria quae est realiter entitas. Vel aliter quod ibi solum vult dicere quod, sicut in secundo modo analogiae sanum se habet ad sua significata, ita ens se habet proportionaliter in tertio modo analogiae ad sua significata, quia principaliter dicitur de uno modo et minus principaliter⁴⁹ de alio.

〈SOLUTIO QUAESTIONIS〉

Ad quaestionem et etiam auctoritates posset aliter dici quod aliter habet loqui de univocatione artifex realis et etiam artifex sermocinalis.⁵⁰ Si enim quaeritur utrum conceptus entis sit univocus prout artifex realis loquitur de univoco, dicendum quod non, sed magis analogus vel aequivocus, sumendo aequivocationem pro analogia, quia metaphysicus et alius artifex realis considerans immediate naturas rerum extra animam advertit quomodo entitas unius est perfectior et independentior, etiam entitas⁵¹ alterius est imperfectior et dependentior. Addit etiam quod imperfectior dependet in esse a perfectiore, et per consequens habet attributionem ad eam. Ideo ibi negat univocationem. Ad univocationem enim de qua loquitur ipse non sufficit quod idem nomen secundum eandem rationem conveniat pluribus, sed requiritur quod conveniat eis aequae primo seu principaliter, ita quod negant ex dependentia ad aliud. Et isto modo non est conceptus entis univocus. Et sic currunt auctoritates.

Ad univocationem autem de qua loquitur logicus sufficit quod nomen sit commune et ratio eadem quae quidditative significet idem cum illo

⁴⁶ principaliter/cum *add. A.*

⁴⁷ urinae/visione *A.*

⁴⁸ ens/quae sit ens *add. A.*

⁴⁹ principaliter/principaliter *A.*

⁵⁰ Cf. Scotus, *Metaph.* 4, qu. 1, n. 12 (VII, 153a); *Super praedicamenta* qu. 4, n. 7 (I, 447b); *Super libros Elenchorum* qu. 15, nn. 3, 7 (II, 20, 22b).

⁵¹ entitas/idemptitas *A.*

nomine. Et isto modo hic est univocatio, nec contra istud vadunt auctoritates.

〈ARTICULUS III〉

Tertius articulus quaestionis est dicere ad quae <se> extendit haec univocatio. Opinio Doctoris Subtilis videtur esse quod conceptus entis non conveniat univoce differentiis ultimis¹ nec etiam passionibus entis.²

〈OPINIO ALIORUM〉

Contra istam conclusionem multipliciter arguitur a diversis

〈OPINIO PRIMA〉

Unus doctor³ arguit sic⁴ contra hoc. Primo sic: aliquis potest esse certus de ultima differentia seu de passione quod sit ens, dubitando utrum substantia vel accidens; ergo habet alium conceptum de proprio conceptu substantiae et accidentis, et, per consequens, est univocus. Consequentia patet et etiam antecedens per probationes et modum arguendi quo Doctor Subtilis probat univocationem entis ad ea quae sunt per se in genere.

Secundo, quia ultima differentia causat conceptum entis, sed non causat nisi conceptum suum proprium vel communem; igitur, et cetera.

Tertio, quia convenit attribuere Deo ultimam differentiam rationalitatis sine omni imperfectione, cum sit perfectionis simpliciter; igitur causat aliquem conceptum quidditativum illi differentiae quae⁵ est communis Deo et sibi, aliter non plus attribueretur⁶ ei rationalitas quam animalitas.

Confirmantur istae tres rationes quia Doctor Subtilis per eas probat univocitatem suam; igitur eadem ratione habet hic eas concedere, vel si respondeatur ad eas hic, eadem modo respondebitur ad eas ibi.

Quarto sic: sub illa ratione⁷ est aliquid quidditative ens per quam sibi repugnat non-ens enti oppositum. Sed per ultimam differentiam suam sibi repugnat non-ens oppositum illi differentiae; igitur, et cetera.

¹ ultimis/multis *AF*.

² Scotus, *Ordinatio* I, d. 3, p. 1, qu. 3, nn. 129, 131—137 (III, 80—85).

³ doctor/actor *A*.

⁴ Auctorem istius primae opinionis invenire non possumus.

⁵ quae/qui *F*.

⁶ attribueretur/tribueretur *F*.

⁷ ratione/*om.* *F*.

Quinto, quia omnis praedicatio in abstracto est essentialis. Sed haec est vera: 'rationalitas est entitas', aliter esset nihilitas.

Sexto, natura specifica principaliter est ens per ultimam differentiam; igitur per eam maxime contingit sibi quod sit ens.

<OPINIO SECUNDA>

Alii⁸ etiam arguunt, distinctione secunda, quaestione prima, articulo quarto.⁹

Primo sic: Ideo Philosophus et Commentator ponunt quod ens non sit genus nec etiam habet differentias, quia nihil effugit rationem entis. Igitur non est aliquid cui non conveniat ens quidditative: si enim aliquid esset cui ens non conveniret quidditative, tunc esset extra rationem entis et sic ens esset genus.¹⁰

Secundo, quod est aliquid est quidditative ens. Si igitur ista differentia sit quidditative aliquid, sequitur quod sit ens. Assumptum patet, quia de omni eo quod est aliquid convenit quaerere quid est. Sed respondendo oportet includere quod sit ens.¹¹

Tertio, quia conceptus entis quidditative se extendit ad omne illud pro quo hoc signum 'omne' natum est distribuere. Sed hoc signum <'omne'> natum est distribuere terminum communem pro omni eo quod¹² est aliquid.¹³

Quarto, istae passionες 'differre', 'distinguere' non conveniunt nisi ei quod est quidditative ens. Sed conveniunt ultimae differentiae.¹⁴

Quinto, quia istae propositiones contradicunt: 'haec differentia ultima est formaliter aliquid', 'haec differentia ultima non est formaliter aliquid'. Si prima istarum sit vera, habetur propositum; si secunda sit vera, tunc illud quod differt per ultimam differentiam nihil differt.¹⁵

<OPINIO TERTIA>

Alii arguunt, *Primo*, distinctione secunda, quaestione nona.¹⁶

⁸ Alii/(?) F.

⁹ quarto/primo F; secundo A; Opinio Petri Aureoli quae continetur in *Scripto* I, d. 2, sec. 9 (II, 491—498).

¹⁰ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 72 (II, 495).

¹¹ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 73 (II, 495).

¹² quod/iter. F.

¹³ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 77 (II, 496—497).

¹⁴ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 78 (II, 497).

¹⁵ P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 79 (II, 497).

¹⁶ Opinio Guillelmi de Ockham quae continetur in *Commentario super Sententias* I, d. 2, q. 9.

Primo sic:¹⁷ Omnis distinctio in re est distinctio rerum. Sed ens praedicatur in quid de omnibus rebus, quia omnis res vel est per se in genere, vel pars eius quod est per se in genere. Et de omni tali praedicatur ens in quid.¹⁸

Secundo, quia differentia ultima plus distinguitur a Deo quam ab alia differentia ultima; igitur, minus convenit cum eo. Et eis est conceptus univocus et tamen se totis differunt. Igitur et hic potest. Confirmatur: Deus et lapis minus conveniunt quam differentiae ultimae; sed eis est conceptus univocus; igitur, et cetera.¹⁹

Tertio, quia differentiae ultimae aliquo modo cognoscuntur a nobis; aut igitur conceptu simplici et proprio, sed²⁰ hoc falsum, quia non videntur intuitive; aut conceptu communi quidditativo, tunc habetur propositum; aut solum conceptu denominativo, tunc est alius conceptus cui iste conceptus denominativus attribuitur;²¹ quaero de illo, et sic in infinitum.²²

Dicunt igitur isti ultimi quod conceptus entis est univocus in quid omnibus differentiis et passionibus extra animam, tamen non praedicatur in quid de conceptibus connotativis quae important unum in recto et aliud in obliquo, sicut unum, bonum seu appetibile. Tales enim conceptus praedicantur in quali et denominative de ente.²³

〈AD QUAESTIONEM〉

Ad istum articulum potest dici quod duplex est conceptus entis. Unus qui solum est per se superior ad conceptum Dei et ad conceptus directe subordinabiles in decem praedicamentis, et isto modo sumitur ens stricte prout aequivalet huic quod dico 'ens completum' seu 'essentia' vel 'natura specifica completa'.

Et secundum istum conceptum est ens subiectum metaphysicae, quia secundum istum conceptum habet passiones²⁴ entis. Isto modo sumpti sunt veritas, bonitas, unitas et huiusmodi. Et ens isto modo non praedicatur per se primo modo dicendi per se de differentiis ultimis nec etiam de passionibus; tamen praedicatur de eis praedicatione identica cum

¹⁷ nihil . . . sic/om. A; marg. F.

¹⁸ Ockham, *Commentarium* I, d. 2, q. 9. D contra secundam de differentiis.

¹⁹ Ockham, *Commentarium* I, d. 2, q. 9. D contra secundam de differentiis.

²⁰ sed/et A.

²¹ attribuitur/tribuitur AF.

²² Ockham, *Commentarium* I, d. 2, q. 9. T Quantum ostenditur; X Circa quartum.

²³ Ockham, *Commentarium* I, d. 2, q. 9. Y Impugnatur; Z Ad rationes de differentiis; CC Ad primum argumentum adductum de passionibus.

²⁴ passiones/et passiones add. A.

dicitur 'veritas est entitas'; praedicatur etiam de eis in concreto, ut cum dicitur²⁵ 'omnis veritas extra animam est veritas entis' seu 'omnis bonitas est bonitas entis'.

Quod autem ens isto modo sumptum non praedicetur per se primo modo dicendi per se de²⁶ differentiis ultimis probat Doctor Subtilis,²⁷ quia²⁸ si sic, tunc iste conceptus qui se habet sicut ultima differentia haberet descriptionem convertibilem, quia esset conceptus directe subordinabilis²⁹ in linea aliqua praedicamentali, vel saltem esset conceptus consimilis conveniens Deo, quia conceptus entis isto modo sumptus non est per se et directe superior nisi ad tales conceptus sic directe subordinabiles. Et cuilibet tali conceptui intrans directam coordinationem praedicabilium sub ente sic sumpto nata³⁰ est descriptio convertibilis correspondere. Illa descriptio integratur ex conceptu communi et alio conceptu qui sit differentia respectu eius, aliter non esset descriptio convertibilis et, per consequens, differentia prius data non fuit ultima quia haec est ulterior. Igitur, ex opposito, si est differentia ultima, tunc conceptus entis sic sumpti non praedicarentur de ea primo modo dicendi per se.

Quod autem ens sic sumptum non praedicatur per se primo modo dicendi per se de passionibus probat iste doctor,³¹ primo, quia ens sic sumptum cadit in descriptione passionis data per additamentum; igitur, non est de primo intellectu eius. Secundo, quia ista passio nata est describi aliqua descriptione; sed in eius descriptione non cadit tantum iste conceptus entis, quia sic conceptus iste qui describeretur non se haberet sicut conceptus passionis, — non plus quam conceptus entis —, igitur, praeter conceptum entis cadit in illa descriptione aliquis alius conceptus. Quaero de illo: aut iste conceptus entis praedicatur in quid de illo vel non. Si non, <habetur> propositum; si sic, arguo de illo conceptu sicut prius, quia in eius descriptione non solum cadit conceptus entis; igitur, aliquis alius. Et quaero de illo sicut prius, et sic in infinitum.

Alius est conceptus <entis> qui est per se superior non solum ad illos conceptus qui directe integrant³² coordinationem decem praedicatorum et etiam praedicabilium de Deo, sed etiam est superius ad

²⁵ dicitur/dicens *F.*

²⁶ de/*interl.* *F.*

²⁷ Scotus, *Ordinatio* I, d. 3, p. 1, qu. 3, n. 132 (III, 81—82).

²⁸ quia/quod *A.*

²⁹ subordinabilis/ordinalis *F.*

³⁰ nata/nulla *A.*

³¹ Scotus, *Ordinatio* I, d. 3, p. 1, qu. 3, nn. 134—136 (III, 83—85).

³² integrant/(?) *A.*

omnem conceptum cuiuscumque entis, sive ille sit completus conceptus rei, sive sit conceptus se habens sicut differentia, sive ille conceptus sit conceptus denominativus rei, sive sit conceptus partis rei. Ens enim isto modo sumitur large, quia est per se superius ad omnem conceptum de quo verificari potest hoc quod dico 'aliquid', saltem ad omnem conceptum alium a seipso.³³ Ens enim sic sumptum per se dicitur contra nihil. Et ens isto modo sumptum praedicatur per se primo modo dicendi per se de differentiis ultimis conceptuum inferiorum. Praedicatur etiam per se de passionibus inferiorum. Sed ens isto modo nec habet passiones nec differentias, licet aliqua sua per se inferiora habeant passiones et differentias. De istis enim passionibus et differentiis suorum inferiorum praedicatur iste conceptus entis per se primo modo dicendi per se. Et isto modo procedunt omnia argumenta omnium praecedentium et non primo modo, sicut patet intuenti.

Ad articulum igitur istum et ad quamlibet rationem quaerendum quid homo vult intelligere per conceptum entis. Aut conceptum illum³⁴ entis³⁵ qui per se et primo dicitur contra nullo modo ens, qualis est conceptus per se³⁶ superior ad omnem conceptum alium cuiuscumque entis. Sic videtur conclusio vera quam probant rationes supradictae, scilicet quod iste conceptus entis natus sit praedicari per se primo modo dicendi per se de differentiis ultimis et de passionibus et de conceptu communi³⁷ alius cuiuscumque entis, sicut probant rationes opinionum³⁸ et etiam probat Doctor Subtilis de ultimis constitutivis divinarum personarum.³⁹ Aut homo vult intelligere per conceptum entis magis stricte loquendo conceptum, scilicet illum qui solum est per se et directe superior ad conceptum Dei et conceptus decem praedicamentorum, qui scilicet conceptus non est natus indifferenter abstrahi directe a quocumque conceptu rei, sed solum a conceptibus completis rerum qui directe integrant⁴⁰ ordinem praedicabilium; quo modo⁴¹ dicimus quod ens est per se commune ad Deum et ad ea quae sunt per se in genere secundum intentiones illas quae integrant⁴² directe ordinem praedicabilium; quo modo etiam dicimus quod ens est subiectum metaphysicae secundum

³³ saltem . . . seipso/*om. F.*

³⁴ conceptum illum/*inv. A.*

³⁵ entis/*om. A.*

³⁶ per se/*om. A.*

³⁷ conceptu communi/*inv. F.*

³⁸ Cf. supra, pp. 117—119.

³⁹ Scotus, *Ordinatio* I, d. 23, q. unica, n. 20 (V, 360).

⁴⁰ integrant/intendunt *A.*

⁴¹ quo modo/quomodo *F.*

⁴² integrant/facit *A.*

conceptum entis. Et isto modo videtur dicendum quod conceptus entis non praedicatur in quid de differentiis ultimis et passionibus.⁴³

⟨OBJECTIONES CONTRA RESPONSIONEM PROPRIAM⟩

Ut tamen haec appareant, obicio oppositum. Primo, quia praedicamenta sunt primo diversa, igitur in nullo conveniunt, et per consequens, non in conceptu entis.⁴⁴

Secundo, quia dato isto, sequeretur quod ens secundo modo, scilicet ens stricte sumptum, esset quoddam⁴⁵ genus, quia per te habet passiones et differentias de quibus non praedicatur in quid sicut est de animali; igitur est genus.⁴⁶ Ideo enim Aristoteles negat ens esse genus,⁴⁷ quia non habet differentiam de qua non praedicetur in quid et ens stricte sumptum est huiusmodi; igitur et cetera.

Tertio, quia quid intelligit per differentiam ultimam? Aut rem extra animam, aut conceptum in anima. Si rem extra, igitur saltem in simplicibus idem sunt ens completum et differentia ultima, quia ibi res simplex seipsa differt. Si conceptus, tunc non est aliqua differentia ultima, quia in conceptibus convenit ire in infinitum per compositionem et divisionem in reflectendo et abstrahendo, sicut homo experitur in seipso.

⟨SOLUTIO PRIMAE OBJECTIONIS⟩

Ad primum istorum⁴⁸ dicendum et⁴⁹ dicunt aliqui in *Primo* suo, distinctione secunda, quaestione sexta, solvendo⁵⁰ sextum argumentum Doctoris Subtilis,⁵¹ quod non est bene⁵² dictum quod dicitur communiter, scilicet, quod primo diversa sunt illa quae in nullo conveniunt et illa sunt⁵³ differentia quae in aliquo conveniunt. Hoc, inquit, non est bene⁵⁴ dictum, sed debet dici quod primo diversa sunt illa quorum unum immediate negatur ab altero, et hoc est quando nihil conveniens altero est medium concludendi negativam unius de alio. Socrates et Plato

⁴³ Cf. supra, p. 117.

⁴⁴ Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, n. 86 (II, 501).

⁴⁵ quoddam/*om.* F.

⁴⁶ Cf. P. Aureoli, *Scriptum* I, d. 2, sec. 9, nn. 72, 80 (II, 495, 497).

⁴⁷ Aristoteles, *III^o Metaphysicae*, cap. 3^o (998b 14—28) et *XI^o Metaphysicae*, cap. 1^o (1059b 29—34).

⁴⁸ Cf. hic supra.

⁴⁹ dicendum et/*om.* F.

⁵⁰ solvendo/*marg.* F.

⁵¹ Ockham, *Commentarium* I, d. 2, q. 6. FF ad primam confirmationem.

⁵² bene/*verum* A.

⁵³ sunt/*sint* F.

⁵⁴ bene/*verum* A.

sunt primo diversi, quia haec negativa est immediata: 'Socrates non est Plato', eo quod nihil conveniens altero est medium concludendi meram negativam. Haec enim est falsa: nullus homo est Plato. Sed differentia sunt illa quorum unum non negatur ab altero immediate, ibi enim conveniens altero est medium concludendi negativam unius de alio. Unde isto modo Sortes et asinus⁵⁵ non⁵⁶ sunt primo diversi sed sunt differentes, haec enim negativa non est immediata: Sortes non est iste asinus, quia negatur⁵⁷ per consequens, scilicet, per istam: nullus homo est iste asinus; et ita patet quod species generis eiusdem sunt diversae et etiam individua eiusdem speciei, non tamen species diversorum generum nec individua diversarum specierum.

Contra.⁵⁸ Quaero quid intelligunt per 'in nullo convenire'. Aut quod nullus conceptus transcendens possit esse communis utrique. Sic non est ad propositum, quia nullus ponit quod primo diversa sunt illa quibus conceptus entis non sit communis, nam eo ipso quod⁵⁹ sunt primo diversa, utrumque istorum est ens; igitur cum solet poni quod primo diversa in nullo conveniunt, non intendebant dicere quod non convenirent in conceptu entis. Aut intelligunt per 'in nullo convenire' quod non conveniant in alio genere. Sic⁶⁰ est verum quod primo diversa non conveniunt in aliquo⁶¹ genere: Si enim convenirent in aliquo genere, tunc essent differentes quia 'differentia est qua species abundat a genere', sicut dicit Porphyrius.⁶²

Secundo, quia quae sunt primo diversa sunt diversa prima diversitate sub ente. Sed illa est diversitas praedicamentorum et, per consequens, primo diversa sunt totaliter diversa secundum genus, id est, sunt diversa secundum quodlibet secundum quod competit isti vel illi esse in genere.

Tertio, quia diversitas proprie est inter genera quorum unum non ponitur sub altero nec ambo sub tertio. Igitur primo diversa sunt illa quae sunt diversa secundum prima genera. Antecedens patet, in *Praedicamentis*,⁶³ ubi dicitur quod 'diversorum generum et⁶⁴ non subalternatim positorum diversae sunt species et differentiae'.

⁵⁵ sunt . . . asinus /om. A.

⁵⁶ non/interl. A.

⁵⁷ Negatur/praedicatur F.

⁵⁸ Contra/ita A.

⁵⁹ quod/interl. F.

⁶⁰ Sic/sed A.

⁶¹ aliquo/om. F.

⁶² Porphyrius, *Isagoge Porphyrii* cap. 4^o, De differentia (17, 16—ed. Laurentius Minio-Paluello).

⁶³ Aristoteles, *Praedicamenta* cap. 3^o (1b 17—18).

⁶⁴ et/om. F.

Quarto, quae magis conveniunt minus sunt diversa, quia talia minus conveniunt;⁶⁵ sed individua eiusdem speciei magis conveniunt quam individua diversarum specierum; igitur, minus sunt diversa; sed illa⁶⁶ non sunt primo diversa per te;⁶⁷ igitur nec ista. Similiter, species sub eodem genere magis conveniunt quam species diversorum generum; igitur minus sunt diversae; sed illae non sunt primo diversae; igitur nec istae.

Aliter igitur potest dici quod esse primo diversa est esse diversa prima diversitate sub ente. Et illa est diversitas inter prima genera quae in nullo genere conveniunt, et ideo haec negativa est immediate secundum Aristotelem: 'nulla substantia est quantitas'.⁶⁸ Differentiae autem sunt quae differunt sub eodem genere. In genere enim conveniunt et per differentias sub genere differunt: 'Differentia enim species abundat a genere'⁶⁹ et *X Metaphysicae*, commento 12⁰: 'illa quorum genus est unum differunt per differentias'.⁷⁰

Ad argumentum igitur dicendum: concedendo quod praedicamenta sunt primo diversa, scilicet in nullo genere convenientia, sed tamen cum hoc stat quod conceptus entis sit eis communis. Immo, eo ipso quod sunt diversa, conveniunt in ente, quia si sunt primo diversa sequitur quod sint entia et, si sunt entia, igitur conceptus entis significat utrumque.

〈SOLUTIO SECUNDAE OBJECTIONIS〉

Ad secundum argumentum⁷¹ dicendum quod non sequitur ex dictis quod ens stricte sumptum sit genus, scilicet ens per se superius ad conceptum Dei et illos conceptus qui directe integrant⁷² coordinationes praedicamentorum. Ens enim sic sumptum, licet praedicetur per se primo modo dicendi per se de conceptibus qui sunt per se in genere et non praedicetur per se primo modo dicendi per se de conceptibus categoriarum⁷³ creaturarum qui non sunt directe in genere, tamen non est genus, quia est⁷⁴ per se commune ad conceptus diversorum generum, ideo non est genus.

⁶⁵ minus conveniunt/*AF*.

⁶⁶ ill/ita *A*.

⁶⁷ Cf. supra, pp. 122—123.

⁶⁸ Aristoteles, *VII⁰ Metaphysicae*, cap. 3⁰ (1029a 15).

⁶⁹ Porphyrius, *Isagoge Porphyrii*, cap. 4⁰, De differentia.

⁷⁰ Averroes, *In X^{um} Metaphysicae*, commento 12⁰ (VIII, 26or G).

⁷¹ Cf. supra, p. 122.

⁷² integrant/intendant *F*.

⁷³ categoriarum/*om. A*.

⁷⁴ est/*iter. A*.

Ad probationem dico: cum dicitur quod habet differentias potest dici quod si ponatur quod ens sic sumptum dividatur per ens per se existens et ens in alio existens, vel ens finitum et infinitum, tunc potest sic dici: Aut loqueris de differentia stricte, ut scilicet dicitur contra primo diversum, sumendo scilicet differentiam pro illa qua⁷⁵ species abundat a genere: sic⁷⁶ non habet⁷⁷ differentiam, quia differentia isto modo solum convenit generi vel ei quod est in genere. Aut loqueris de differentia, large sumendo differentiam pro quocumque quo dicitur commune; et isto modo potest concedi quod ens sumptum sic,⁷⁸ quod non est praedicabile per se primo modo dicendi per se, nisi tantum de conceptu Dei et de conceptibus creaturarum qui sunt per se et directe in praedicamentis, habeat differentias isto modo large loquendo de differentia: sic enim dici potest, si sustineantur istae divisiones entis completi, quod aliquod est ens finitum per se existens et aliquod est ens finitum in alio, et cetera. Sustinendo autem quod descendat per circumlocutionem in sua per se inferiora, tunc potest dici quod non habet differentias proprie loquendo, sed isto modo descendit: ens quoddam est quod est substantia infinita, quoddam est ens quod est substantia finita, quoddam est ens quo aliquid est quantum, et quoddam quo aliquid est quale, et quoddam quo aliquid est relatum,⁷⁹ et quoddam quo aliquid dicitur agens, et sic de aliis. Sed⁸⁰ sive ponatur sic sive sic, non sequitur quod ens sic sumptum sit genus, quia est per se commune pluribus generibus, quia quodlibet genus separat illud cuius est genus ab aliis generibus⁸¹ non subalternatim positus, sicut patet *VII*⁰ *Topicorum*.⁸² Confirmo: quia prima genera sunt primo diversa; igitur non conveniunt in aliquo uno genere.

⟨SOLUTIO TERTIAE OBJECTIONIS⟩

Ad ultimam objectionem,⁸³ cum quaeritur de ultima differentia, dicendum quod per conceptum differentiae ultimae intelligo conceptum illum simplicem qua species abundat a genere et non habet differentiam compositam ex conceptu speciei et differentia ulteriore. Illa est differentia ultima, quia, licet illa conveniat cum differentia sibi condvisa in conceptu de utraque, tamen non differunt ab ea per aliquam differentiam ulteriorem. Sed ibi est status: ideo illa differentia seipsa differt a dif-

⁷⁵ qua/contra *F*.

⁷⁶ sic/sicut *A*.

⁷⁷ habet/habentibus *F*.

⁷⁸ sic/*om.* *A*. \

⁷⁹ relatum/relativum *A*.

⁸⁰ Sed/saltem *AF*.

⁸¹ quia . . . generibus/*om.* *A*.

⁸² Aristoteles, *VII*⁰ *Topicorum*, cap. 1⁰.

⁸³ Cf. supra, p. 122.

ferentia sibi condivisa et tamen aliquis conceptus est eis communis. Nec per consequens potest illa differentia habere descriptionem essentialem secum convertibilem. Quod autem talis differentia sit ponenda patet, quia aliter iretur in infinitum in differentiis, nam haec differentia 'animalis' haberet aliam, et ista haberet aliam, et sic in infinitum.

〈AD ARGUMENTA PRINCIPALIA〉

Ad primam rationem principalem in quaestione,⁸⁴ cum dicitur quod quanto convenientia est minor inter aliqua, tanto pauciores conceptus sunt communes eis, ista propositio, si sit vera, est vera de conceptibus subordinatis essentialiter secundum eandem lineam praedicamentalem, et sic sequitur conclusio quod nullus conceptus generis praedicamentalis est communis Deo et creaturae. De conceptu autem transcendente videtur propositio⁸⁵ falsa, loquendo de convenientia reali extra animam: Deus enim non minus videtur convenire cum sapientia accidente quam cum lapide, et tamen forte tot sunt conceptus abstrahibiles Deo et sapientiae creatae quot Deo et lapidi.

Ad secundam rationem principalem⁸⁶ concessa est conclusio quod conceptus iste non est univocus ut univocum distinguitur contra analogum.

WALTER CHATTON VERSUS AUREOLI

The French Franciscan Peter Aureoli taught at Bologna (1312), Toulouse (1314) and Paris (1317—1319); he died in 1322 after being named Archbishop of Aix. In all probability 1322 was the year that Walter Chatton began his lectures on the *Sentences* at Oxford.¹ There is no doubt that throughout his career Chatton was concerned with a defense of Duns Scotus against the criticisms of Aureoli. We turn to the investigation of that defense as it concerns the univocity of being and as presented in the above text edition.

A. *Presentation of Aureoli's Doctrine:*

Walter Chatton offers a brief but faithful presentation of the theory of Peter Aureoli on the univocity of being.² It is Aureoli's opinion that

⁸⁴ Cf. supra, p. 90.

⁸⁵ propositio/om. A.

⁸⁶ Cf. supra, p. 90.

¹ C. K. Brampton, Gauthier de Chatton . . .", 200—205; G. Gál, "Gualteri de Chatton et Guillelmi de Ockham Controversia . . .", 192—199; Guillelmi de Ockham, *Opera Theologica*, I, 26*—31*.

² To see the faithfulness of Chatton's presentation of Aureoli, confer the excellent and most useful doctoral dissertation of Stephen F. Brown, *The Unity of the Concept of Being in Peter Aureoli's Scriptum and Commentarium*, 2 vol. (Institut Supérieur de Philosophie, Université Catholique de Louvain, 1964). Our references to Aureoli's *Commentarium* are taken from the edition in Brown's thesis.

Scotus' position, according to which the concept of being is one by a unity of a distinct *ratio* is not true³. Aureoli holds to a simple unity of an indistinct and undetermined *ratio*.⁴ It is Peter Aureoli's firm conviction that the simple unity of the concept of being and the univocity of being are not identical.⁵

In presenting Aureoli's position Chatton first notes the distinction Peter made between the two ways a 'concept' can be understood:⁶ a concept can mean either the act of the intellect by which a concept is attained or it can mean the object seized in that act.⁷ Taking concept to mean the act of the intellect, the mind can grasp all being in one intellectual act. Here, however, Aureoli is interested in the concept taken objectively, i. e. the thought-content of the concept, its *ratio*, the concept taken as predicate. Aureoli's discussion of the unity of the concept of being follows this argumentation: are there many objective *rationes* (common opinion as represented by Gerard of Bologna and Hervaeus Natalis) which correspond to the concept of being; or is there one objective *ratio* (position of Duns Scotus) common to all beings; or is the concept of being one solely by a unity of confusion, implicitly containing every *ratio*, explicitly, however, containing none (Aureoli's own opinion)?

Aureoli is definitely opposed to the position of Gerard of Bologna and Hervaeus Natalis who claimed that many objective *rationes* corres-

³ *Text ed.* p. 92. Cf. Aureoli, *Commentarium* 89, 348—351: "... quod opinio quae dicit quod conceptus entis est unus unitate unius distinctae rationis non est vera."

⁴ Aureoli, *Commentarium* 73, 10—16: "Ille conceptus non dicit unam distinctam rationem qui est indistincte omnes rationes. Impossibile est enim quod una ratio distincta sit omnes indistincte. Sed ratio entis est omnes rationes indistincte."

⁵ *Text ed.* p. 92.

⁶ *Text ed.* p. 91. Cf. Aureoli, *Scriptum* II, 483, n. 48; *Commentarium* 47, 82—60, 369.

⁷ B. O'Mahony, *A Mediaeval Semantic: The Scholastic "Tractatus de Modis Significandi"* (Rome, Laurentianum, 1964), 38: "This distinction finds a parallel in the scholastic doctrine of the formal and objective concept: the *modus intelligendi activus* corresponds to the formal concept or *medium quo* an object is attained by the intellect, as to the species expressa; the *modus intelligendi passivus* corresponds to the objective concept which is object as grasped by the intellect through the formal concept. The active form of understanding is important for the psychological analysis of the process whereby a mode of signifying comes to express a mode of being; but it is the passive form of understanding which is directly expressed by the form of signifying, and not the active form. The active form is simply a *medium quo intelligitur*."

ponded to the concept of being,⁸ and that being was an analogous term in this sense: it expresses different *rationes* when predicated of the different categories, but these *rationes* have a connection which overcomes this diversity to a certain extent.⁹ Aureoli asserts that according to this opinion the concept of being is disjunctive, not copulative. Hence, when someone says about something that it is a 'being', one conceives immediately that it is a substance, or a quality, or a quantity; one does not conceive, then, some common notion but many objective *rationes*.¹⁰ According to Aureoli, the concept of being cannot be a concept of all proper, distinct *rationes* because, then, one would conceive an infinite number of things in a determinate way; neither can it be a concept of the *ratio* of substance in a determinate way and of all other *rationes* confusedly, for there is no more reason why substance should be conceived in a more determined fashion than the others or why these latter should be grasped in general; nor can the concept of being be a distinct concept of many proper *rationes*, since it does not belong to these 'many' alone to be outside *nihil*. Gerard and Hervaeus identified a simple unity of being with the univocity of Duns Scotus — this is rejected by Aureoli who also rejected their explanation of the unity of being in terms of extrinsic attribution.¹¹

To the mind of Aureoli, the unity of the concept of being is due to the lack of every distinguishing note and the concept of being must be stripped completely of "every actual *ratio*, whether it be one or many, proper or common".¹² Yet, for Aureoli the concept of being is one; it does possess a simple unity but it is a unity of confusion, implicitly

⁸ *Text ed.* pp. 91—92.

⁹ Hervaeus Natalis, *Quod*. II, q. 7, f. 4vb: "Nam si accipiatur ens in concreto dicendo substantia est ens, quantitas est ens, et sic de aliis, ens prout dicitur de substantia, dicit illud quod simpliciter est. Prout vero dicitur de quantitate et qualitate, dicit illud quo aliquid tantum. Id autem quod simpliciter est et illud quo aliquid est tale vel tantum habent connexionem ad invicem." For an explanation of both the theory of Hervaeus and Gerard and its rejection by Aureoli confer S. Brown, "The Unity of the Concept of Being . . .", II, 238—288.

¹⁰ Aureoli, *Scriptum* II, 483, n. 49: "Est tamen iste conceptus disiunctivus, non copulativus. Unde, cum dicitur de aliquo, quod sit ens, statim concipitur quod est substantia vel quantitas vel qualitas, et sic de aliis propriis rationibus entium, non quod aliqua communis ratio concipitur."

¹¹ Aureoli rejects the common position, i. e. Gerard of Bologna and Hervaeus Natalis, in his *Scriptum* II, 484, n. 51; 488—491, nn. 59—65; *Commentarium* 44, 25—72, 622.

¹² Aureoli, *Scriptum* II, 505, n. 91: "Conceptus entis est simpliciter denudatus ab omni ratione actuali, una vel pluribus, propria vel communi, et ideo est tantum unus unitate confusionis, implicite omnem rem et omnem rationem continens, explicite vero nullam."

it contains all things and every *ratio*, while explicitly it contains nothing.¹³

B. Chatton's Objections:

1) Criticism of Aureoli's position:

Walter Chatton does not agree with Aureoli and asserts that once it is granted that all things are known implicitly by Aureoli's one confused intention of being, then it follows that an infinite number of things are known by that intention. Consequently, as Chatton points out, Aureoli is faced with the very same difficulties which his own criticism revealed to exist in the position of Hervaeus and Gerard.¹⁴ By Aureoli's simple unity of the concept of being all things are known in an indistinct way; now, because it is the same to be known and to be in the mind, all things, through Aureoli's confused intention of being, have existence in the mind. This is equivalent to saying that an infinite number of things exist in the mind because an infinite number of things are understood through that intention. Thus, in Aureoli's simple but confused unity of the concept of being, as in the concept of being that corresponds to many objective *rationes* of Hervaeus and Gerard, one conceives an infinite number of things in a determinate way. This is too large an assumption for Walter Chatton to accept, for to say that an infinite number of things have intentional existence in man's mind by the one simple concept of being is to equate man's mind with the divine intellect.

2) Criticism of Aureoli's *fictum* theory:

In his discussion of Aureoli's rejection of the theory of Hervaeus and Gerard, Chatton calls our attention to a more important point: he warns us to avoid all forms of subjective idealism. Chatton insists that we must not imagine that the *esse cognitum* is an *esse* distinct from the extramental reality which is known and the act of cognition itself.¹⁵ The question implied here is: what kind of being does a universal concept have in the mind? Chatton tells us that the firm causal nexus between object and thought does not admit of any separation between thought and reality — he emphasises this conviction throughout his whole discussion on the univocity of being.¹⁶

It is of major importance in order to grasp Chatton's criticism to keep in mind Aureoli's teaching on the difference of intuitive and

¹³ *Text ed.* p. 92.

¹⁴ *Text ed.* p. 93.

¹⁵ *Text ed.* p. 93.

¹⁶ *Text ed.* pp. 93, 94, 98.

abstractive knowledge.¹⁷ For Aureoli, their difference lies in the diverse modes of knowing the object. Intuitive knowledge is a mode of knowing whereby things *appear* as present, actual, and existing, whether they exist or not. Abstractive knowledge is a mode of knowing whereby, whether things exist or not, they do not *appear* as present, actual or existing, but they appear, as it were, *modo imaginario et absente*.¹⁸ The obvious difficulty against this opinion is that it exacts the admission of an *esse apparens*. In Aureoli's explanation, when we know the rose as such one must not imagine that the form we are conscious of beholding is something real impressed subjectively on the intellect; the form is the thing known itself and it is present in the intellect as phenomenal being, or intentional being — as possessing *esse obiectivum*, *esse intentionale*, or *esse apparens*.¹⁹ Hence, to say that the intellect knows the thing 'by means of the universal concept' does not mean that there is a *species intelligibilis* which acts as a *medium quo* of knowledge. Aureoli dispenses with the species as a *medium quo* of knowledge and insists that the intellect knows the thing itself directly.²⁰ In Aureoli's theory, universals have no subjective reality, or the being of real accidents in a subject, but they have merely logical being, *entia ficta* — the being of objects of knowledge in the sense that they are produced by the mind as thought-objects in correspondence with reality. As such, they have universality but have no categorical being, since they are neither accidents nor substance. The thing which is known, the object of knowledge, is the extramental thing as possessing *esse apparens* through conception: a thing as known *is* the thing as having *esse apparens*; thus, it is the concept, namely the objective concept, as distinguished from the subjective concept or

¹⁷ Aureoli, *Scriptum* I, 205, n. 110: "Transferendo itaque ista ad intellectum, ibi sunt isti duo modi cognitionis. Primus videlicet qui directe apparere facit rei praesentialitatem, actualitatem et existentiam, immo non est aliud illa cognitio nisi quaedam praesentialis et actuativa apparitio et directa existentia rei; et iste modus est intuitivus. Secundus vero, qui non directe nec ex se, nec praesentialiter nec actuative facit res apparere; et hic est abstractivus."

¹⁸ Aureoli, *Scriptum* I, 205, n. 111: "Ex praedictis itaque colligitur in quo differunt abstractiva et intuitiva notitia, et quae est ratio utriusque. Sunt namque duo modi apparitionis formalis, cum intellectio non sit aliud quam quaedam formalis apparitio, qua res apparent obiective; sed una apparitione apparent res praesentialiter et actualiter et existenter in rerum natura, sive sit sive non sit; et hoc est intuitio. Alia vero, sive res sit sive non sit, non aparet res praesentialiter et actuative et existenter in rerum natura, sed quasi modo imaginario et absente."

¹⁹ R. Dreiling, *Der Konzeptualismus in der Universalienlehre des Franziskanerbischofs Petrus Aureoli* (Münster, 1913), 119.

²⁰ E. Gilson, *History of Christian Philosophy in the Middle Ages* (London: Sheed and Word, 1955), 479—480.

species. It follows, therefore, that the concept is no longer the *medium quo* of knowledge but its immediate object.²¹

Walter Chatton, on the contrary, holds to the species and discards Aureoli's *esse apparens*.²² For Chatton, in the act of cognition there arises no *esse* distinct from the act itself and the thing known.²³ In his Prologue to the *Sentences*, Chatton argues against the *esse apparens*: it is superfluous because knowledge of a white object, for example, is adequately explained by the white object and the act of seeing; one cannot determine whether this *ens fictum* is a substance or an accident and, hence, it must be purely subjective; the *esse intentionale* would lead to our knowing nothing outside the mind but only an *ens fictum* signifying an extramental reality.²⁴

According to Walter Chatton, knowledge is of real things and not of *entia ficta*; the *esse obiectivum* of a known object is explained by identifying it with the act of knowledge itself rather than the search for some *tertium quid*. In this way strict realism is secured for the object is known primarily and immediately. Aureoli's *esse apparens* endangers realism. Moreover, as Chatton points out in our text²⁵, when one speaks of an object as being known, this is a denomination of the object, not taken from the object itself, but from the act of knowing and thus the denomination is extrinsic. Furthermore, the identification of the *esse obiectivum* of the known object with the cognitive act saves one repeating the search, made by Aureoli, for some being which is neither substance nor accident but an *esse apparens*.²⁶

Identification of the *esse obiectivum* of a known object with the cognitive act is Chatton's positive answer to Aureoli's *esse apparens*. Chatton judges the natural function of the species differently from Aureoli: for Aureoli, the species leads primarily to knowledge of itself; for Chatton, the species leads immediately to a knowledge of the object it represents. As a strict realist, then, Chatton objects to any *esse apparens* which would prevent the mind's knowing the object immediately; he denies Aureoli's distinction of intuitive knowledge and abstractive knowledge as different

²¹ B. Geyer, *Die patristische und scholastische Philosophie*, (Basel-Stuttgart, 1956), 526.

²² J. O'Callaghan, "Walter of Chatton's . . .", 74.

²³ *Text ed.* p. 93.

²⁴ The arguments presented here are a summary of the third chapter, "Intuitive Knowledge and the Object of Intuition", of J. O'Callaghan's "Walter of Chatton's . . .", 48—83. This chapter is an *ex professo* treatment of Chatton's rejection of Aureoli's *esse apparens*.

²⁵ *Text ed.* p. 93.

²⁶ *Text ed.* p. 94.

modes of knowing according to which things *appear* differently, as present or absent; he indicates his firm desire to avoid all forms of conceptualism.

C. Aureoli's arguments against Scotus:

1) Introduction:

Chatton next turns to Aureoli's arguments against the position of Duns Scotus²⁷ — the purpose of Aureoli's arguments being to conclude to one simple unity of being and still not make the concept of being univocal.

Scotus argued that the unity of the concept of being is a unity of a distinct *ratio*, which is distinct because it is opposed to the ultimate differences which could make it indistinct²⁸. The Subtle Doctor asserted that the *ratio* of being is not predicated of the ultimate differences *per se* and quidditatively but only denominatively. Aureoli accepts the concept of being as having a simple unity but will not admit that the ultimate differences and transcendental properties are outside the concept of being²⁹. The opposition, then, between Aureoli and Scotus lies in the Scotistic distinct *ratio* of being which guards its simple unity in opposing itself to ultimate differences and transcendental properties and Aureoli's simple unity of an indistinct *ratio* of being containing these ultimate differences and transcendental properties not as such but as being.³⁰ In Aureoli's interpretation, Scotus makes the *ratio* of being a common *ratio* and the other *rationes* of ultimate differences special *rationes*, added to the common *ratio* 'after the manner of animal which expresses a certain one *ratio* opposed to the differences which contract it'.³¹

Aureoli claims that it is impossible for the concept of being to express a determined concept distinct from the other concepts if the *ratio* of being is conceived as a general *ratio*.³² Chatton presents Aureoli's three main arguments against the position of Scotus.³³

²⁷ *Text ed.* pp. 93—95.

²⁸ Scotus, *Metaph.* IV, q. 1, n. 5 (VII, 148a).

²⁹ *Text ed.* p. 118. For a full explanation of Aureoli's rejection of the Scotistic univocity confer S. Brown, "The Unity of the Concept of Being . . ." II, 296—329, 352—362.

³⁰ Aureoli, *Commentarium* 101, 14—124, 492 — which contains his teaching on ultimate differences and transcendental properties.

³¹ Aureoli, *Commentarium* 74, 37—40: "... ad modum quo animal dicit quandam rationem unam condivisam contra rationes differentiarum et contrahitur per illas." Cf. *Text ed.* p. 122.

³² Aureoli, *Commentarium* 74, 42—75, 46: "... dico quod impossibile est conceptum entis dicere unam talem rationem determinatam distinctam contra alias, sive illa sit ratio generalis, sive sit ratio specialis."

³³ *Text ed.* p. 92. Cf. Aureoli, *Scriptum* II, 491—492, nn. 66—67; 499, n. 82; 501, n. 86; *Commentarium* 74, 42—78, 122.

2) First Argument:

All the Scotistic efforts to escape making being a genus have failed because in the Scotistic system being is contracted to its inferiors after the manner of a genus.³⁴ Aureoli argued that Aristotle and Averroes clearly saw that there is nothing outside the concept of being and their argument against any conception which would make being a genus contracted by outside differences is valid against Scotus.³⁵ The concept of being cannot express a determined *ratio* distinct from its ultimate differences and transcendental properties for there is nothing outside the concept of being.³⁶ If the concept of being were one distinct *ratio* common to all things, then it is identical with the proper *rationes* of everything; and all things because they would be identical to this common third, would be identical to each other — the result is that everything is this one determined *ratio* so that no difference exists in reality. Hence, being cannot be a distinct *ratio*.³⁷ For Aureoli, the concept of being without any addition is identical with every *ratio*,³⁸ therefore, it must be stripped of every distinct and determined *ratio*.³⁹

3) Second Argument:

Aureoli's second objection to Scotus is actually an attack on the first argumentation which Scotus employed to prove univocity, the 'certain-doubtful' argument.⁴⁰ Duns Scotus affirmed that we can be certain that something is being even though we doubt what kind of being it is: infinite, finite, substance, accident. Aureoli here questions this neutrality of the concept of being and argues: granted one takes being as a determined *ratio*, it must be conceived as relative or absolute,⁴¹

³⁴ Aureoli, *Scriptum* II, 491—492, nn. 66—67.

³⁵ *Text ed.* p. 118. Cf. Aureoli, *Scriptum* II, 494—498, nn. 72—81; *Commentarium* 75, 46—54.

³⁶ *Text ed.* pp. 119, 122.

³⁷ *Text ed.* p. 92.

³⁸ Aureoli, *Scriptum* II, 492, n. 67: "Constat autem quod conceptus entis est idem omnibus rationibus, nullo penitus addito sibi, ut probatum est. Ergo, non habet unam rationem, sed est 'omnes' confuse et indeterminate."

³⁹ Aureoli, *Commentarium* 75, 55—62: "Ille conceptus cui omnis ratio est eadem, nullo addito penitus, est denudatus et spoliatus omni distincta et determinata ratione. Sed conceptus entis est idem omni ratione, nullo penitus addito. Igitur, conceptus entis est denudatus et spoliatus omni determinata et distincta ratione."

⁴⁰ Aureoli, *Scriptum* II, 499—501, nn. 82—85.

⁴¹ *Text ed.* p. 92. Cf. Aureoli, *Scriptum* II, 499, n. 82: "Quandocumque differentiae, dividentes conceptum aliquem, sic se habent quod non est possibile dare medium per abnegationem et indifferentiam utriusque, conceptus ille qui per differentias tales dividitur est denudatus ab omni una ratione . . . Sed constat quod ens dividitur per absolutum et respectivum, non est aliqua ratio quae possit abstrahere et se habere per indifferentiam ad

it is impossible for absolute and relative to be present in one determined *ratio*.⁴² It is Aureoli's contention that the concept of being, conceived as a determined *ratio*, is not able to be indifferent to its ultimate differences and transcendental properties.⁴³ In order that the concept of being possess a simple unity and be predicated formally of God and creatures, substance and accident, infinite and finite, absolute and relative, it must be conceived as an undetermined *ratio*, which is implicitly all *rationes*, an undetermined *ratio*, which includes all things — both absolute and relative — under a certain confusion and indetermination.⁴⁴

4) Third Argument:

The unity of the concept of being is not, as Scotus claimed, the unity of a common determined *ratio* because such a unity is incompatible with the primary diverse character of the ten categories.⁴⁵ Scotus placed a common *ratio* between substance and accident. Aureoli attacks him on this point arguing that if primarily diverse things agree in any common determined *ratio* they would be partly alike and partly different and, hence they would cease to be primarily diverse. Yet, it is clear that the ten categories are primarily diverse, each is totally opposed to the other;⁴⁶ it is also clear that they do agree in the concept of being, that being is present formally in each of them.⁴⁷ Therefore, the concept of being in which they agree must be completely stripped of every common determined *ratio*, thus insuring the primary diverse character of the

respectivum et absolutum. Omnis enim ratio vel est respectiva, vel est absoluta. Nec est possibile imaginari quod non sit actu ratio absoluta aut ratio respectiva, cum contradictorie se habeant . . . Ergo, conceptus entis, divisus per respectivum et absolutum est denudatus ab omni una ratione communi."

⁴² Aureoli, *Scriptum* II, 500, n. 84: "Impossibile est enim aspectum intellectus terminari ad aliquam rationem, quin intelligat eam ad se et sine termino alio cointellecto; vel non ad se, sed terminum cointelligendo. Contradictoria enim sunt immediata rationi alicui cointelligere terminum et non cointelligere terminum. Si non cointelligitur terminus, ratio est absoluta; si cointelligitur terminus, ratio est respectiva. Sic igitur talis media ratio excogitari non potest."

⁴³ *Text ed.* p. 118.

⁴⁴ Aureoli, *Scriptum* II, 500—501, n. 85: "... quod sit simul absolutus et respectivus, et hoc est includens omnia, tam absoluta, quam respectiva, sub quadam confusione et indeterminatione. Possibile est enim absolutum et respectivum convenire in unam indeterminationem. Sed quo concurrant in uno aliquo determinato impossibile est . . ."

⁴⁵ *Text ed.* pp. 92, 122. Cf. Aureoli, *Scriptum* II, 501—505, nn. 86—90.

⁴⁶ Aureoli, *Scriptum* II, 501—503, nn. 87—88.

⁴⁷ Aureoli, *Scriptum* II, 504—505, n. 90.

categories;⁴⁸ and yet, the categories must be united into an undetermined, implicit and confused concept of being, thus insuring the unity of the concept of being. It is Aureoli's undetermined *ratio* which alone guards both the simple unity of the concept of being and the primary diverse nature of the ten categories. For Aureoli, there is no prior common determined *ratio*; the *ratio* of being is the same *ratio* of a category but in an undetermined way.⁴⁹ The difference between the undetermined *ratio* of being and the *ratio* of a category or anything else is but the difference between indeterminate to determinate, implicit to explicit; it is the difference in our *modus concipiendi*.⁵⁰

In Peter Aureoli's theory of being, then, the *ratio* of being is in no way a determined *ratio*; his conception of being is that of a totally undetermined *ratio* which does not receive any determination from without but is unfolded from within; being is not a genus because in every genus there is a partially determined *ratio* waiting for further determination.⁵¹ Aureoli's concept of being immediately expresses the ten categories because it expresses immediately, although implicitly, all *rationes*.⁵² The fundamental divergence between Aureoli's theory of the simple unity of being and the Scotistic univocity of being is this: in Scotus' univocity, ultimate differences and transcendental properties are outside the concept of being which has one determined *ratio*; in Aureoli's theory, nothing is outside the concept of being whose unity is not a unity of one distinct *ratio* but a unity due to a lack of every distinguishing note, a unity which Aureoli explains in terms of an indistinct and implicit *ratio*. Scotus declared that the *ratio* of being is not predicated of the ultimate differences *per se* and quidditatively but only denominatively;⁵³ Aureoli contends that because the *ratio* of being

⁴⁸ Aureoli, *Scriptum* II, 501, n. 86: "Primo enim diversa non conveniunt in aliqua communi ratione; nam, si conveniunt, alio differunt et alio conveniunt, et sic non sunt primo diversa . . . Sed decem praedicamenta conveniunt in conceptu entis, ut patet. Decem autem praedicamenta sunt omnino primo diversa, quia sunt primo intellecta, irresolubilia, simplicissima etiam quae definirī non possunt; nec componuntur ex duobus conceptibus, sicut commentator dicit III *Metaphysicae* et in VII, et Philosophus ibidem. Ergo, conceptus entis, in quo conveniunt, est simpliciter denudatus ab omni ratione communi."

⁴⁹ Aureoli, *Commentarium* 90, 386—91, 397: "Dico igitur quod ratio entis nullo modo venit ad constitutionem alicuius specialis rationis entis, quia omnis ratio est ratio entis, nullo addito; ideo, non componitur cum ratione entis . . . dico quod ratio entis est ratio quaedam indeterminata et indefinita, quae quando explicatur per inferiorem rationem coincidit in eadem re et ratione cum illa."

⁵⁰ *Text ed.* p. 92.

⁵¹ Aureoli, *Commentarium* 89, 352—90, 370.

⁵² Aureoli, *Commentarium* 90, 371—91, 405.

⁵³ *Text ed.* p. 120. Cf. Scotus, *Ordinat.* I, d. 3, p. 1, qu. 3, nn. 131—134 (III, 81—85).

is identical *in re et ratione* with every *ratio*, it must be predicated quidditatively of all *rationes*, ultimate differences and transcendental properties included.⁵⁴

D. Chatton's Refutation of Aureoli:

In discussing and refuting Aureoli's arguments against Scotus, Walter Chatton first proceeds with a general argumentation and then attacks each of Aureoli's three specific arguments against the Scotistic univocity of being.

1) General Argumentation:⁵⁵

Chatton's general argumentation contains two distinct parts:

1. Verbally Aureoli denies the univocity of being; however, if he were faithful to the principles of his own thinking he would be forced to concede it.⁵⁶ Scotus held that univocation involves a common name signifying in all its predication the same substantial *ratio*, that is, the same concept predicable *in quid*. Aureoli clearly holds that the concept of being is one simple intention distinct from the proper concepts of everything and, further, that this concept of being is predicated *in quid* of the proper concepts of everything. In fact, as Chatton points out, Aureoli goes to great lengths to show that the concept of being is predicated *in quid* of even the ultimate differences and passions of being.⁵⁷ Aureoli's concept of being is, therefore, univocal in the same sense as Scotus understood univocal. This conclusion is confirmed by an example: in the proposition 'every substance is a being', Aureoli considers the predicate 'being' as a simple confused intention of everything and it is predicated *in quid* of the subject 'substance', whether 'substance' refers to God or creature for otherwise there would be some substance which would not be essentially being. It seems to Chatton that Aureoli's concept of being is as univocal as Scotus'.

2. In his second approach in the general argumentation against Aureoli,⁵⁸ Chatton argues that if one followed Aureoli's reasoning for rejecting univocity, namely that one objective *ratio* cannot correspond to the concept of being, then it would have to be admitted that there is no certitude in any knowledge. To claim that the concept of being is

⁵⁴ *Text ed.* pp. 93-94, 118. Cf. Aureoli, *Commentarium* 91, 406-92, 409: "Ex hoc patet quomodo ens quidditative praedicatur de ultimis differentiis et passionibus, cuius contrarium dicit alia opinio."

⁵⁵ *Text ed.* pp. 93-94.

⁵⁶ *Text ed.* pp. 93-94.

⁵⁷ Aureoli, *Scriptum* II, 491-498, nn. 66-81.

⁵⁸ *Text ed.* p. 94.

not univocal because no one objective *ratio* corresponds to it implies that the concepts of genus and species are not univocal because no one objective *ratio* corresponds to these concepts either — there is no one objective *ratio* or one objective *esse* corresponding to the concepts of a genus or species which is distinct from the act of knowledge and the extramental reality which is known.⁵⁹ Furthermore, if the concept of being is not univocal because no one objective *ratio* corresponds to it, then we would have to admit that the concept 'man' is not predicated univocally of Peter and Paul, etc.; in fact, one could not predicate univocally about any individuals of the same species. Genus, species, and difference, considered as universals, do not exist extramentally but are they to be regarded as fabricated or invented by the mind? Concepts must have some foundation in reality; and a foundation must exist for the concept of being as well as for the concepts of genus, species and difference. When we claim that the concepts of being, genus, species, etc. have a foundation in reality and are univocal signs, we do not imply that they are identified with the *esse* of the known thing; however, we do mean that they are grounded in the thing known, and that they have no existence apart from the act of knowledge and the extramental reality which is known in that act of knowledge.⁶⁰ Again, Chatton insists on a realistic theory of knowledge and strives to avoid the conceptualism of Aureoli.

2) *Specific Argumentation*:⁶¹

Chatton rejects Aureoli's three arguments against Duns Scotus and insists that, in principle, Aureoli's very arguments contradict his own position, namely that there is one simple concept of being.⁶²

1. Aureoli claims that the univocal concept of being would make everything, because it is identical to this common third, identical to each other. Chatton turns the same argument against Aureoli whose simple, confused concept of being is identical with every reality; consequently, it too, in being contracted to the proper concepts of its inferiors, would be identical with them — hence, everything would be identical and no difference would exist in reality. But, perhaps, Aureoli's simple concept of being is contracted to its inferiors by added concepts; if so, the same objection which Aureoli brought against Scotus would hold, that is, these added concepts would be non-being because there is nothing outside being.⁶³

⁵⁹ *Text ed.* p. 94.

⁶¹ *Text ed.* pp. 94—95.

⁶³ *Text ed.* p. 94.

⁶⁰ *Text ed.* p. 94.

⁶² *Text ed.* p. 94.

Chatton admits that it looks as if both Scotus' univocal concept of being and Aureoli's simple concept of being cannot escape the damaging conclusion that being is a genus. Yet, as Chatton points out, being is not a genus; it is a transcendent concept. It does not contract to its inferiors on the Porphyrian model where all transitions are characterized by an increase of reality. It descends to its inferiors in a special way, namely through added concepts which are more explicit concepts of the same beings, of which 'being' is a transcendent concept.⁶⁴

2. Again Chatton turns the objection to Scotus against Aureoli's own affirmation of a simple unity of the concept of being. Even a *ratio* stripped of all determination, as Aureoli's, will have to be either absolute or relative. If Aureoli's concept of being is grasped alone, it will not include the relative; and if it is grasped in relation to another, it will not include the absolute. How, then, can it possess any unity? Chatton does not accept the argumentation and holds that the concept of being is absolute in essence (*in essendo*). Whether the concept of being is univocal or is merely a simple, confused intention it makes little difference because in itself it is not dependent on anything else; it is what it is. Yet, it can nevertheless signify by a confused and transcendent signification both the absolute and the relative.⁶⁵

3. Aureoli has argued that because of the total diversity of the categories they cannot agree in one *ratio* of being. Chatton reminds Aureoli that his argumentation works as much against himself as it does against Scotus:

a) If the category-concept is the most abstract and universal concept, then there is no other concept, e. g. the concept of being, which could be more universal and abstract. This implies that there is no concept in any way beyond the categories, that there is nothing more common or all embracing. Hence, there is no one confused concept that includes all things even in an indeterminate way; there is no simple unity of the concept of being. The implication is that there could not be a metaphysics.⁶⁶

b) However, if the category-concept is not supremely abstract, then there is no such thing as a category or supreme concept in the predicamental line. The predicaments or categories are primarily diverse and a consequence of being primarily diverse is that they do not fall under any more abstract concept. What is ultimate cannot be subsumed under

⁶⁴ *Text ed.* pp. 94—95.

⁶⁵ *Text ed.* p. 95.

⁶⁶ *Text ed.* p. 95.

something else, but the categories are ultimate, *primo diversi*; hence, they cannot have a more abstract concept in which they agree for then they would have proper differences by which they differ among themselves and would be reduced to species under a genus.⁶⁷ The clear implication is that there are no categories or primarily diverse predicaments. According to Aureoli's reasoning, then, one must either deny the primary diverse character of the ten predicaments or must deny any kind of unity to the concept of being — consequences, of course, which Aureoli could not admit.

In the third article of this distinction Chatton returns, as he promised,⁶⁸ to an investigation of the meaning of the primarily diverse. His explanation has as its purpose to clarify his rejection of Aureoli's argument against Scotus.⁶⁹

When one claims that primary diverse things are those which 'in no way agree' one does not mean to imply that the primary diverse are those things to which the transcendent concept of being is not common. To be primarily diverse presupposes *to be*. The categories must agree in the concept of being.⁷⁰ However, if we mean by 'in no way agree' that the categories do not agree in any genus then we are correct because: 1) if they met in an all embracing genus they would differ from each other as species and would not be primarily diverse;⁷¹ 2) the primary diverse is diverse by a diversity of predicaments, i. e. they are totally diverse and cannot be reduced to a genus;⁷² 3) the primary diverse are diverse by a first diversity under being, i. e. by a diversity of first genera.⁷³ In short, when one asserts that the categories 'in no way agree', one means that they do not agree in any genus; their's is a diversity between first genera; they do not differ by mere difference which would place them as species under the same genus.⁷⁴ Chatton concludes that the predicaments are truly primarily diverse but that

⁶⁷ *Text ed.* p. 95.

⁶⁸ *Text ed.* p. 95 "Ad ista patebit infra."

⁶⁹ *Text ed.* p. 122 "Ut tamen haec appareant, obicio in oppositum. Primo, quia praedicamenta sunt primo diversa, igitur in nullo conveniunt, et per consequens, non in conceptu entis." *Text ed.* pp. 122—124.

⁷⁰ *Text ed.* p. 124 "Immo, eo ipso quod sunt diversa, conveniunt in ente, quia si sunt primo diversa sequitur quod sint entia et, si sunt entia, igitur conceptus entis significat utrumque."

⁷¹ *Text ed.* p. 123.

⁷² *Text ed.* p. 123.

⁷³ *Text ed.* p. 124.

⁷⁴ *Text ed.* p. 124.

this does not mean that the concept of being is not common to them for the simple reason that the transcendental concept of being is not a genus.⁷⁵

WALTER CHATTON VERSUS WILLIAM OCKHAM

A. *The Two Franciscans at Oxford:*

The careers of Ockham and Chatton offer striking parallels and are closely linked during their Oxford periods.¹ Both joined the English Province of the Friars Minor as youths.² Now the earliest age for entering the Franciscan Order was 18, and was followed by a one year noviciate in which the study of philosophy was forbidden.³ For a young friar to gain admission to the convent at Oxford the authorities of the Order had to declare under oath to the Chancellor that the friar in question had studied philosophy for eight years,⁴ namely the four year B. A. course and the four year M. A. course which the year of noviciate clearly separated. Hence, on completion of his noviciate a friar went to this native convent at the age of 19 and, if his future intellectual career seemed promising, would study the M. A. course there for four years; if chosen to do so, he would enter the Oxford convent at the age of 23. Add to this the fact that the earliest age for being ordained a subdeacon was 22, and if a man's ordination took place in a diocese other than that of Lincoln, then it is safe to assume that he was not living in Oxford at the time.

On the 26th of February in the year 1306, Archbishop Winchelsey ordained William Ockham to the order of subdeaconate in the conventual church of St. Mary, Southwark, in the diocese of Winchester.⁵ On the 20th of May in the year 1307, the Bishop of Carlisle, John of Halton, ordained as subdeacon Walter Chatton.⁶ In all probability, then, Ockham

⁷⁵ *Text ed.* p. 124: "Ens . . . tamen non est genus, quia est per se commune ad conceptus diversorum generum, ideo non est genus." *Text ed.* p. 125

¹ C. K. Brampton, "Gauthier de Chatton . . .", 200—205; G. Gál, "Gualteri de Chatton et Guillelmi de Ockham Controversia . . .", 191—199.

² A. G. Little, "The Franciscan School at Oxford in the Thirteenth Century", *AFH* (1926), 866, n. 6.

³ M. Bihl, "Statuta Generalia Ordinis Edita in Capitulis Generalibus Celebratis Narbonae A. 1260, Assisii An. 1279, Atque Parisiis An. 1292 (Editio Critica et Synoptica)", *AFH* (1941), 39, n. 2; 40, nn. 7—9.

⁴ S. Gibson, *Statuta Antiqua Universitatis Oxoniensis* (Oxford, 1931), 34, 49.

⁵ R. Graham, *Registrum Roberti Winchelsey* (Oxford: Canterbury and York Society, 1940), pars nona, 981.

⁶ W. N. Thompson, *The Register of John Halton* (London: Canterbury and York Society, 1913), 279.

began his course of theology at Oxford in the year 1307,⁷ and Walter Chatton followed him there in 1308⁸. Both men would have been more or less 25 years old when John Duns Scotus died at Cologne on the eight of November 1308. The academic program at Oxford lasted for thirteen years. We can certainly presume, then, that the two young English Franciscans grew to know each other well during their time together at Oxford. Whether or not they were close friends is a matter open to speculation.

In their analysis of the two Paris manuscripts of Chatton's Commentary on the Sentences, Leon Baudry and C. K. Brampton, while admitting that Paris ms. 15886 manifests a more prudent and circumspect attitude toward Ockham and a more cautious approach to his opinions,⁹ nowhere find a vendetta or violent hostility. On the contrary, Chatton's tone is everywhere moderate and restrained; his text is one of disagreement with Ockham but the disagreement is expressed in gentlemanly terms. Ockham could not have had Chatton in mind when, in his *Tractatus de sacramento altaris*, he complained of the violence of the attacks and the blatant lack of courtesy of his adversaries. Chatton's debate with Ockham does not seem to contain any personal animosity. Indeed, even if one holds with Baudry¹⁰ that Chatton's text contained in the Paris ms. 15886 is a second redaction made at Avignon — at a time, be it remembered, long after William Ockham had been excommunicated by the Church and by the Franciscan Order and long after he had begun his bitter and relentless fight against Pope John XXII and his successors — it nevertheless conspicuously lacks any hostile indictment or any condemnatory judgment of Ockham.

Walter Chatton and William Ockham lived in Oxford together for many years; no doubt, they dwelled in the same convent of the Friars Minor and, certainly, delivered their respective lectures on the *Sentences* around the same time. The criticism which Chatton levelled at Ockham in a certain reading or lecture was in all probability heard by Ockham

⁷ C. K. Brampton, "A Note on Auriol, Ockham and Ms. Borghese 329", *Gregorianum* XLI (1960), 713—716; "Guillaume d'Ockham et la *Prima redactio* de son *Commentaire sur les Sentences*," *Revue d'Histoire Ecclésiastique* (1961), 470—476; "The Probable Date of Ockham's *Lectura Sententiarum*", *AFH* (1962), 367—374.

⁸ C. K. Brampton, "Gauthier de Chatton . . .", 204.

⁹ For example, in Paris ms. 15887, fol. 4v—I, d. 1, q. 3, Chatton introduces Ockham's opinion with the words: "Hic est opinio pulchra". In Paris ms. 15886, fol. 71, Chatton's introduction reads: "Ad istam igitur quaestionem opinio quedam est que ponit".

¹⁰ L. Baudry, "Gauthier de Chatton . . .", 344—346; 355—356.

without very much delay.¹¹ Perhaps even before Chatton's next lecture Ockham would have replied to the objections and Chatton would be forced to have ready a new defense. This interpretation may explain what we read, for example, in Chatton's *Commentary* I, d. 3, q. 3, a. 2:

Secundus articulus huius quaestionis includit duo principaliter: primo enim ponam quasdam responsiones quae dicuntur esse de mente opinionis supra positae. [Agitur de opinione Guillelmi de Ockham] ad quatuor argumenta quae feci contra eam in fine articuli praecedentis. Et secundo ponam septem conclusiones in oppositum . . . Supposito igitur quod opinio supradicta se isto modo explicaverit; arguo contra eam per septem rationes . . .¹²

The questions as to whether or not the criticisms of Chatton motivated Ockham to change or modify any of his ideas and whether or not Chatton took the part of the opponent in Ockham's *Quodlibeta septem*¹³ are ones that cannot be answered in an article such as this. Yet, one thing is clear: Chatton's work does reveal that the Franciscan convent at Oxford, like the rest of the University, was divided on the thirteenth century realism and the new conceptualism represented by William Ockham. But, what is even more important, Chatton's *Commentary* is a living witness to a contemporary reaction to Ockham and is fertile ground for helping us better appreciate the milieu in which Ockham's *via moderna* was born.

B. *Presentation of Ockham's Doctrine:*

In discussing the position of William Ockham, Chatton, while admitting that his brother franciscan does hold the univocity of the concept of being, complains that there is an innovation introduced.¹⁴ Chatton then proceeds to outline first Ockham's criticism of the three arguments of Scotus,¹⁵ second Ockham's own argumentation in favor of univocity,¹⁶ and, finally, in the third article of this distinction, Ockham's position on the extent of univocity.¹⁷

The obvious innovation introduced by Ockham seems to be that Ockham considered as valid only one argument for univocation and that it was only in virtue of this argument that the arguments of Duns

¹¹ Guillelmi de Ockham, *Opera Theologica*, I, 26* 30*.

¹² Comm., I, d. 3, q. 3, art. 2 Ms. 15886, fol. 148ra, 148rb.

¹³ L. Baudry, *Guillaume d'Occam, sa vie, ses oeuvres, ses idées sociales et politiques*, I: *L'homme et les oeuvres* (Paris, 1950), 67, 71 ff.

¹⁴ Text ed. p. 95.

¹⁵ Text ed. pp. 95—96.

¹⁶ Text ed. pp. 96—97.

¹⁷ Text ed. pp. 118—119.

Scotus could be accepted.¹⁸ The more subtle innovation is Ockham's theory of intuitive and abstractive knowledge, a philosophical issue very much alive in the early fourteenth century.¹⁹ To facilitate the understanding of the above text edition, we will devote the next few pages to an explanation of this subtle innovation.

1) Intuitive and abstractive cognition:

The problem of the nature and differentiation of intuitive and abstractive cognition held a prominent place in the philosophical debate of the age due to the powerful influence of John Duns Scotus.²⁰ By its very origin, the idea of a *notitia intuitiva* is an Augustinian element, and was conceived to replace the mediate cognitive contact with reality, by means of a species, by an immediate contact with reality in intuition. Ockham's theory of intuitive cognition is a development of the Subtle Doctor's, yet it is not precisely the same: in part it returns to the position of Henry of Ghent (who denied the necessity of the *species intelligibilis*)²¹ and in part is directed against Peter Aureoli.²² Ockham, however, sides with Scotus as to intuition without the *species impressa*, but disagrees when Scotus postulates a species in abstractive cognition.²³

But for the rest he merely develops Scotus' ideas and follows them through to their logical conclusions. Thus, for instance, though Scotus seems to have had difficulty admitting that singulars are known by intuitive cognition and directly, Ockham shows that nothing but singulars are known intuitively. Again, in the question of perfect and imperfect intuitive cognition, Ockham develops the ideas of Scotus to show something that Scotus

¹⁸ Ockham, *Reportatio* III, q. viii: "Pro univocatione nescio nisi tantum unam rationem, in cuius virtute omnes aliae rationes tenent . . . In virtute rationis praedictae tenet ratio prima Ioannis de conceptu dubio et certo, aliter non . . . Eodem modo tenet aliud argumentum Ioannis: Nullum obiectum ducit in notitiam alterius obiecti, nisi contineat illud virtualiter vel essentialiter . . . Eodem modo tenet alia ratio de remotione imperfectionis a sapientia creaturae et attribuendo sibi quod est perfectionis." — ed. Boehner.

¹⁹ For a detailed study of intuitive and abstractive cognition see S. Day, *Intuitive Cognition: A Key to the Significance of the Later Scholastics* (St. Bonaventure, N. Y., 1947).

²⁰ C. Michalski, "Les courants philosophiques . . ." 61, who says of Scotus: "... ce qui n'est indiqué nulle part, c'est qu'il a fourni aux philosophes du XIV^e siècle la distinction, presque universellement admise dès lors, entre la connaissance intuitive et la connaissance abstractive."

²¹ P. Boehner, "Notitia intuitiva of non-existents according to William Ockham", in *Collected Articles on Ockham* edited by E. Buytaert (St. Bonaventure, N. Y., 1958), 268.

²² P. Boehner, "Notitia intuitiva of non-existents according to Peter Aureoli", *Franciscan Studies* VIII (1948), 388—410.

²³ E. Hochstetter, *Studien zur Metaphysik und Erkenntnislehre Wilhelms von Ockham* (Leipzig, 1927), 80—81. (Hochstetter holds that Ockham's position comes from John of Salisbury and Abelard).

had not touched on, namely the causal and chronological relations between intuitive and abstractive cognition. Finally, Ockham based his doctrine of intuitive cognition more resolutely and more systematically on an analysis of evidence, though here again it was Scotus who had first appreciated the significance of this doctrine in the light of the problem of certitude.²⁴

It was the historical situation that forced Walter Chatton to discuss the subject of intuitive and abstractive cognition, since the philosophers who most influenced him, Scotus, Aureoli and Ockham, had done so. Scotus had held that intuitive and abstractive knowledge are specifically distinct and that it is of the nature of intuitive knowledge to be of an object's existence and presence. Aureoli, against Scotus, held that intuitive knowledge is naturally possible in the absence of the object of intuition. Ockham contended that in the absence of an object intuitive knowledge naturally reveals the absence of the object and that intuitive knowledge is needed for the knowledge of sensible contingents as well as one's own acts of cognition and volition. Jeremiah O'Callaghan has made an excellent and extensive study of Walter Chatton's teaching of intuitive and abstractive knowledge.²⁵ We present here a summary of his conclusions.

Chatton makes it clear that it is on a purely speculative plane that he considers the problem of the nature and object of intuitive knowledge, since, *de facto*, man has no intellectual intuitive knowledge in this life. Speculatively. (i. e. considered in themselves, and apart from the question whether man has intuitive knowledge in this life) Chatton holds that intuitive and abstractive knowledge are specifically distinct knowledges. Their object is an *esse reale*, and not, in any sense, an *esse fictum*. As a consequence, intuitive knowledge is not possible in the absence of the object of intuition; there is no *esse apparens* in Aureoli's sense; intuitive knowledge naturally demands the presence of the object of intuition. Chatton says that it is the nature of intuitive knowledge to reveal the presence and existence of an object and that it is a contradiction to say that the same knowledge reveals both presence and absence. Therefore, Ockham falls into a contradiction when he admits that God can cause in someone an intuitive knowledge of an absent thing as present and still maintains that intuitive knowledge reveals an object's absence. Moreover, Ockham's doctrine that intuitive knowledge reveals an object's absence would prohibit God from causing in a knower the intuition of an absent object as present, a possibility admitted by both Ockham and Chatton.

²⁴ S. Day, *Intuitive Cognition* . . . , 201.

²⁵ J. O'Callaghan, "Walter of Chatton's . . .", 116—168.

Concretely, however, and explicitly against Ockham, man *in via* has no intellectual intuitive knowledge whether of sensible contingents or of his own acts of cognition and volition. Chatton explains that man's knowledge of sensible contingents is sufficiently accounted for by sensation and the intellectual activity of the soul. Man's knowledge of his own acts is explained by the fact that man, as the active agent in cognition, is aware of his activities simply because he is the *subject* who acts.

In combating Ockham, Chatton thus departs from Scotus by denying intuitive knowledge *pro isto statu*. Why does Chatton abandon the Scotistic tenet?

2) The reality of the 'universal'.²⁶

Perhaps the greatest difference between Duns Scotus and William Ockham is found regarding their opinions on the difficult and vexing problem of the reality of the universal. For Duns Scotus the objective basis for a real concept is intimately associated with his doctrine of the *natura communis* and the *distinctio formalis a parte rei*.²⁷ To find an objective basis for concepts Scotus postulated as formally distinct from the individuating difference, or *haecceitas*, a common nature, *natura communis*, which serves as the *fundamentum in re* for the universal concept.

Formally distinct from its principle of individuation, endowed with its own proper unity, which is somehow less than numerical unity, this *natura communis*, as actualized in concrete individual things, forms the immediate and proper object of the *conceptus realis*.²⁸

Ockham severely criticized the formal distinction and common nature as unwarranted reifications of ideas.²⁹ Chatton wished to maintain a

²⁶ G. Gál, "Gualteri de Chatton et Guillelmi de Ockham Controversia . . . , 191—212.

²⁷ P. Minges, "Der angebliche exzessive Realismus des Duns Scotus", *Beiträge zur Geschichte der Philosophie des Mittelalters* VII, (Münster, 1908), 81 ff.; J. Kraus, *Die Lehre des Johannes Duns Skotus von der Natura Communis* (Freiburg, 1927) — Kraus minimized the importance of the formal distinction in this question.

²⁸ A. Wolter, *The Transcendentals* . . . , 29.

²⁹ Ockham, *Ordinatio* I, d. 2, q. 6, EF: "Contra istam opinionem potest argui duplici via. Primo, quia impossibile est in creaturis aliqua differre formaliter nisi distinguantur realiter, ergo si natura distinguatur aliquo modo ab illa differentia contrahente, oportet quod distinguantur sicut res et res, vel sicut ens rationis et ens rationis vel sicut ens reale et rationis . . . Secunda via potest argui contra praedictam opinionem, quod non est vera, etiam quod esset talis distinctio formalis. ed. Boehner; *Summa totius logicae* I, c. xvi: "... videtur aliquibus quod universale est aliquo modo extra animam in individuis, non quidem distinctum realiter ab eis, sed tantum distinctum formaliter ab eisdem . . . Sed ista opinio omnino improbabilis mihi videtur." — ed. Boehner.

realistic position with Scotus and held a real foundation *a parte rei* for universals. Ockham rejected any position which conceded to universal concepts a foundation *in re*. Chatton is as hostile to this criticism of Ockham as he had been to that whereby Aureoli made an *esse intentionale* the object of the concept. Yet, it would seem that Ockham's criticisms convinced Chatton that the realistic position of Scotus stood in need of a defense beyond that afforded by the doctrine of Scotus.³⁰

Things, for Ockham, are absolutely singular in themselves. Consequently, he does not begin with universals, or even with a common nature, and ask how they are singularized; rather, he begins with singulars and asks how our concepts about them become universal.³¹ The preeminence of universal knowledge is simply denied. Our first knowledge is of an individual and its sensible accidents existing before us here and now. Universal knowledge is posterior and more imperfect.³² Chatton is also certain that man knows the singular intellectually but insists that his first knowledge is of the universal.³³

For the Venerable Inceptor, the universal is "abstrahibilis a multis".³⁴ However, he, in no stretch of the imagination, intends to mean that the universal exists in any way in the thing.³⁵ In his work on Ockham, Professor Robert Guelluy says that abstraction does not consist in the isolation of the universal inhering in the thing, but in the formation of a notion which applies to other singular things equally as well as it

³⁰ Both Chatton and Ockham are witnesses to the fact that in their day the complexities of Scotus' doctrine of intellectual intuition of the singular was a disputed point.

³¹ Ockham, *Com.* I, d. 2, q. 6, Q: "Ita quaelibet res extra animam seipsa erit haec, nec est quaerenda aliqua causa individuationis, nisi forte causae extrinsecae et intrinsecae quando individuum est compositum, sed magis esset quaerenda causa, quomodo possibile est aliquid esse commune et universale," — ed. Lugduni.

³² Ockham, *Com.* I, d. 3, q. 6, G: "Universale est simpliciter imperfectius et posterius ipso singulari; ergo, intellectus non cognoscit obiectum sensus modo eminentiori." — ed. Lug.

³³ J. O'Callaghan, "Walter of Chatton's . . .", 165—168.

³⁴ Ockham, *Ordinatio*, prol., q. 1, Z: "Sciendum tamen, quod notitia abstractiva potest accipi dupliciter: uno modo, quia est respectu alicuius abstracti a multis singularibus, et sic cognitio abstractiva non est aliud quam cognitio alicuius universalis, abstrahibilis a multis . . . Aliter accipitur cognitio abstractiva, secundum quod abstrahit ab existentia et non-existentia et ab aliis conditionibus, quae contingenter accidunt rei vel praedicantur de re . . ." — ed. Boehner.

³⁵ Ockham, *Expositio super librum Porphyrii*, Proemium, Ad: Altioribus quidem quaestionibus: "Secundo tenendum quod nullum universale est extra animam existens realiter in substantiis individuis, nec est de substantia vel essentia earum, sed universale vel est tantum in anima, vel est universale per institutionem quomodo haec vox prolata: 'animal' et similiter: 'homo', est universalis quia de pluribus est praedicabilis, non pro se sed pro rebus quas significat." — Text corrected by Moody.

applies to the singular things perceived.³⁶ What kind of being does a universal concept have in the mind? It has been established definitely that at different periods Ockham gave different answers to this question.³⁷ Originally, he had believed that the universal concept is something different from the act of thinking it, and that the concept has no reality but only a logical being. Universal concepts are not real beings. They have an *esse subiectivum* neither outside nor inside the mind, but they have an *esse obiectivum*, which is a *fictum* or image of the real being. When we perceive a being outside the mind then our intellect forms a concept which represents this reality and is similar to this real object.³⁸ This *fictum* theory was held not only by Ockham in his earlier period but also, as we have seen, by his contemporary Aureoli. It is Father Boehner's contention that when Ockham became acquainted with Aureoli's *Commentary on the Sentences* he gradually gave up the *fictum* theory in favor of what Boehner calls 'the *intellectio* theory'. According to this theory, the concept or universal involved in a cognition is identical with the very act of abstractive cognition and the universal does have an *esse subiectivum*; thus, Ockham's universals are qualities of the mind, or as he himself says, they are "subjectively and really in the mind, as true qualities of the mind".³⁹ The universal is called a quality of the mind because it is a singular thing, i. e. a psychical entity. The universal is also a sign destined to stand for many things; its universality comes from its significative function.⁴⁰

³⁶ R. Guelluy, *Philosophie et théologie chez Guillaume d'Ockham* (Louvain, Vrin, 1950), 346.

³⁷ P. Boehner, "The Realistic Conceptualism of William Ockham", *Collected Articles*, 156—174.

³⁸ Ockham, *Ord. d. 2*, q. 8, E, in P. Boehner, "The Text Tradition of Ockham's *Ordinatio*", *The New Scholasticism* 16 (1942), 226: "Ideo potest aliter dici probabiliter, quod universale non est aliquid reale habens esse subiectivum nec in anima nec extra animam, sed tantum habet esse obiectivum in anima, et est quoddam fictum habens esse tale in esse obiectivo quale habet res extra in esse subiectivo. Et hoc per istum modum, quo intellectus videns aliquam rem extra animam fingit consimilem rem in mente, ita quod si haberet virtutem productivam sicut habet virtutem fictivam, talem rem in esse subiectivo numero distinctam a priori produceret extra."

³⁹ Ockham, *Expositio super librum Perihermenias*, c. 1 (16a 3—4), E: "Alia posset esse opinio, quod passio animae est ipse actus intelligendi. Et quia ista opinio videtur mihi probabilior de omnibus opinionibus, quae ponunt istas passiones animae esse subiective et realiter in anima tamquam verae qualitates ipsius . . ." — ed. Boehner.

⁴⁰ Ockham, *Summa totius logicae* I, c. 14, 31: "Dicendum est igitur, quod quodlibet universale est una res singularis, et ideo non est universale nisi per significationem, quia est signum plurium". — ed. Boehner. Ockham's doctrine of universals is also found in: E. Hochstetter, *Studien zur . . .*, 96 ff.; J. Weinberg, "Ockham's Conceptualism", *Philosophical Review*, 50 (1941), 522—528.

3) Chatton's criticism of the *fictum* theory.⁴¹

Sometimes both the *fictum* and *intellectio* theories were offered by Ockham as possible solutions; hence, unless one has a critical knowledge of the various revisions and additions that Ockham made in his *Commentary on the Sentences*, it is difficult to determine precisely what opinion or theory Ockham finally adopted. The text of Walter Chatton corroborates this observation. Chatton places together the two theories as probable opinions of Ockham and, yet, remains perplexed on just what opinion Ockham finally wished to adopt. Chatton devotes a whole article to the nature of the concept in which, after rejecting Ockham's *fictum* theory, he says:

In fine autem quaestionis addunt⁴² quod cui non placet haec opinio, potest dicere quod conceptus universalis sit quaedam qualitas subiective existens in ipsa anima, scilicet ipsa intellectio vel quaedam qualitas producta per intellectionem. . . Quae tamen opinio praedicta sit verior, dicunt se relinquere iudicio aliorum. Contra istam secundam opinionem arguo primo. Licet enim isti de secunda opinione in fine aliquorum suorum de ente ficto addunt ultimam particulam, tamen processus quaestionum suarum de conceptu totaliter est exaratus in primo suo super *Sententias* ad declarandum quod conceptus communis sit tale ens fictum, obiectivum, nec penes aliam est aliqua quaestio de conceptu communi discussa vel pertractata. Hoc etiam patet videnti Prologum Primi sui, et distinctionem primam et distinctionem secundam et tertiam, et videnti modum quo ponit productionem Verbi et Spiritus Sancti, et ubicumque pertractat de cognitione Dei vel creaturae in conceptibus communibus. Tamen sive sit opinio sive non, probo quod tale ens fictum non est ponendum.⁴³

Whether or not Chatton's continual criticism of the *fictum* theory influenced Ockham's thinking is a question to which no definitive answer is given here. That Ockham finally abandoned the *fictum* theory is clear and Father Boehner assures us in concluding his study: 'One point

⁴¹ Cf. G. Gál, "Gualteri de Chatton et Guillelmi de Ockham Controversia . . .", 191—212.

⁴² Six hundred years after Chatton this addition still troubled the expositors of Ockham's doctrine as is clear in E. Hochstetter, *Studien zur . . .* 95: "Wenn er <id est Ockham> dann gleich als Gegenargumente anführt, daß dann bei jeder solchen intellectio unendlich viele Dinge erkannt werden, außerdem ein Konzept doch Objekt eines Erkenntnisaktes ist, demgemäß also eine solche intellectio ihr eigenes Objekt sein müsse, und daraus dann folgert: 'ergo conceptus non est ipsa intellectio', so kann man es mit leisem Erstaunen lesen, wenn er gegen Ende der Quaestio (Q) ohne nähere Erläuterungen diese Theorie als probabel empfiehlt". Cf. Guillelmi de Ockham, *Opera Theologica* I, 28*—29*.

⁴³ *Comm.* I, d. 3, q. 1, a. 2 — Ms. 15886, fol. 134rb—134va.

is absolutely certain — Ockham finally held only the *intellectio-theory*.⁴⁴

Ockham held further that singular things outside the mind are truly represented by the universal idea; the universal as such is not extra-mental but it does signify singular things: the *content* of the concept corresponds to reality but the *universality* of the concept, that is, its predicability of many, does not correspond to something universal outside the mind.⁴⁵ Singulars do not come together in some third reality, for example, in a specific nature.⁴⁶ The universal, therefore, is a concept of the mind naturally signifying many things, and in no way exists in the singular thing, not even as a common nature.⁴⁷ Ockham found it impossible to admit the common nature of Scotus for the simple reason that in Ockham's system there was no place for the formal distinction placed by Scotus between the common nature and the principle of individuation.⁴⁸

The effect of Ockham's philosophical theories and subtle criticism shows up clearly when Walter Chatton attempts to explain the objective foundation of universals,⁴⁹ the objective and subjective reality of the concept,⁵⁰ and how one knows the singular intellectually. Chatton is apparently dissatisfied with Scotus' explanation and clearly rejects Ockham's intellectual intuition of the singular. However, Chatton's own defense of a realistic position falls short of being an unqualified success. O' Callaghan tells us 'one searches in vain through Chatton's

⁴⁴ P. Boehner, "The Realistic Conceptualism . . .", 174. Most recently G. Gál, "Gualteri de Chatton et Guillelmi de Okham Controversis . . .", has argued that Chatton brought about Ockham's change.

⁴⁵ P. Boehner, "The Realistic Conceptualism . . .", 163.

⁴⁶ *Quaestio de universali secundum viam et doctrinam Gulielmi de Ockham* ex. Cod. Vat. Palat. 998. ed. Grabmann (Münster, 1930), 39, 6—15: "Duo individua quae sunt eiusdem speciei et quae sunt similia, seipsis sunt similia et non in ente aliquo tertio alio. Sunt enim similia in hoc, quia habent formas substantiales eiusdem speciei et de quibus illa species praedicatur non pro se, sed pro individuis . . .". Cf. also E. Moody, *Logic of William Ockham* (New York, 1935), 137, 156.

⁴⁷ P. Boehner, "Scotus' Teaching according to Ockham. II: On the *Natura Communis*", *Franciscan Studies* VI (1946), 362—365.

⁴⁸ Ockham, *Summa totius logicae* I, c. xvi: "Dicendum est ergo, quod in creaturis nulla est talis distinctio formalis; sed quaecumque in creaturis sunt distincta, realiter sunt distincta et sunt res distinctae, si utrumque illorum sit vera res". — ed. Boehner. Although Ockham denies the formal distinction in creatures, he accepts it in his explanation of the doctrine of the Trinity. Cf. P. Boehner, "Medieval Crisis of Logic and the Author of the *Centiloquium*", *Franciscan Studies* IV (1944), 157—167.

⁴⁹ *Comm.* I, d. 2, q. 3, art. 1 — *Ms.* 15886, fol. 94.

⁵⁰ *Comm.* I, d. 3, q. 1, art. 2 — *Ms.* 15886, fol. 134ra—137va. Cf. G. Gál, "Gualteri de Chatton et Guillelmi de Ockham Controversia . . .", 199—212.

works for any adequate elaboration of a theory of knowledge'.⁵¹ Certainly, Chatton does state that man's first knowledge is of the universal and that singulars are known intellectually *mediante discursu* or *post compositionem et divisionem*; yet, he does not answer the questions why the intellect knows the universal first or how the intellect knows the singular in the judgment. O'Callaghan concludes his study:

It was Ockham who, most of all, forced Chatton to a defense of his realistic position, and to search for a solution to the problems of man's intellectual knowledge of the singular. We have seen that Chatton is a shaky realist philosophically, since only vaguely does he account for the universal's real foundation in things. In explaining man's intellectual knowledge of the singular, he shows independence of both Scotus and Ockham, although his own doctrine is clearer in its conclusions than it is in its premises.⁵²

C. Chatton's Objections:

In the light of this brief explanation of the subtle innovation introduced by Ockham, we return to the problem of the univocity of being as presented in the above text edition. We find that on the main point, namely, that it is possible to conceive a concept of being univocally predicable of God and creatures without implicitly considering their modes of being, Ockham is in agreement with Scotus.⁵³ When it comes to the proofs of this theory, however, there are differences of opinion. Chatton presents these differences under two main headings:⁵⁴

⁵¹ J. O'Callaghan, "Walter of Chatton's . . .", 171.

⁵² J. O'Callaghan, "Walter of Chatton's . . .", 171—172.

⁵³ *Text ed.* p. 95. Cf. Ockham, *Com.* I, d. 2, q. 9. T—U: "Quantum ostendam per unam rationem quam facit doctor iste subtilis, quae mihi concludit, et arguo sic: Si deus cognoscatur in aliquo conceptu communi sibi et aliis, quaero: aut ille conceptus est quidditativus aut denominativus. Si quidditativus, habetur propositum. Si denominativus, tunc quaero de illo cui attribuis istum conceptum denominativum. Aut est denominativus, et sic est processus in infinitum, aut quidditativus, et habetur propositum. Verbi gratia, habeo istum conceptum, puta esse creativum, quem scio esse denominativum. Et ideo oportet praehabere unum conceptum cui istum attribuo, puta dicendo quod aliquod ens est creativum, et certum est quod iste conceptus cui iste attribuitur non est denominativus, vel si sit, erit processus in infinitum, vel stabitur ad aliquem conceptum quidditativum. Et tunc quaero de illo ultimo conceptu quidditativo: aut est communis Deo et creaturae, et habetur propositum; aut est proprius Deo, et hoc est improbatum; aut proprius creaturae, et hoc est impossibile, quia tunc non posset supponere nisi pro creatura, et tunc haec esset falsa, aliquod ens creativum est Deus . . . Ex isto sequitur quod est aliquis conceptus unus praedicabilis in quid, per se primo modo de Deo et creatura." — ed. Lug.

⁵⁴ *Text ed.* pp. 95—97.

- 1) Ockham's criticism of the three arguments of Scotus with Chatton's objections:

Ockham criticizes the three main arguments of Scotus for univocity. His disagreement, however, is concerned more with logical subtleties than with Scotus' basic approach and conclusions.⁵⁵ Walter Chatton defends Scotus by pointing out that the three arguments taken simultaneously or in combination unquestionably form one good argument.⁵⁶

An interesting point in Chatton's defense is his rejection of Ockham's interpretation of what Scotus meant by the 'primacy of virtuality'. Ockham interprets the virtual primacy of being to mean that from the concept of being the other notions could be deduced in some way.⁵⁷ And he criticizes Scotus on this score.⁵⁸ Chatton, defending Scotus, does not admit that the modes of being can be extracted from the concept of being because any such interpretation is forbidden by the extreme simplicity of the concept of being.⁵⁹ Chatton argues that a creature can cause a simple concept of being in the intellect but it cannot cause a simple concept of infinite 'because the concept of infinite is not part of the concept of being'.⁶⁰ Chatton's understanding of Scotus' 'to virtually contain' is different from Ockham's because if the concept of being contained 'infinite' virtually, then a created object could produce in our mind a simple notion of infinite.⁶¹

- 2) Ockham's own argumentation for the univocity of being with Chatton's objections:

Chatton next presents Ockham's own argumentation for the univocity of being in nine steps.⁶² Ockham admits that the three proofs of Duns

⁵⁵ *Text ed.* pp. 95—96. Cf. P. Boehner, "Scotus' Teachings according to Ockham. I: On the Univocity of Being", *Franciscan Studies* VI (1946), 100—107.

⁵⁶ *Text ed.* pp. 97—98.

⁵⁷ *Text ed.* pp. 95—96. Cf. Ockham, *Com.* I, d. 2, q. 9, C contra secundam rationem.

⁵⁸ Ockham, *Ordinatio* prol. q. 5, art. 1, Bff.

⁵⁹ *Text ed.* p. 98.

⁶⁰ *Text ed.* p. 98: "Cum igitur conceptus infiniti esset perfectior conceptu adaequato creaturae, igitur creatura non causat illum. Sed causat conceptum entis. Igitur, conceptus infiniti non est pars conceptus entis . . ."

⁶¹ There is no doubt that Scotus could have been much clearer on the meaning of 'virtuality'. Diverse interpretations are given to it. Cf. T. Barth, "De fundamento univocationis . . .", 377; A. Wolter, *The Transcendentals* . . ., 90—93; M. Grajewski, *The Formal Distinction* . . .

⁶² *Text ed.* pp. 96—97. Ockham in his own *Commentary on the Sentences* presents his argument in five stages which Chatton here lengthens to nine.

Scotus are valid in virtue of this argument.⁶³ Ockham argues that there is a concept common to God and creatures which can be predicated of them *in quid et per se primo modo*.⁶⁴ In order to show this he proceeds to prove:

1) That God cannot be so known in himself that the divine essence itself is the immediate term of an act of understanding without the help of an accompanying thought-object.⁶⁵ This first thesis Ockham proves in two ways:

a) An intellect which would know some nature in itself without the help of an accompanying thought-object cannot even suspect that this object includes a contradiction, for it is evident that nothing is ever conceived as including a contradiction unless several objects are conceived; therefore, he who conceives only one thing and not several cannot suspect that this thing includes a contradiction. Yet, a man who knows God can still doubt whether the statement 'God exists' contains a contradiction; and the fact of the matter is that many do doubt whether God exists and whether it is possible that God exists.⁶⁶

b) Everything known in itself is known either intuitively or abstractively. If the divine essence is known in itself, we know it either intuitively or abstractively. It cannot be intuitively known for such cognition is beatific. Nor is such cognition abstractive because we can know

⁶³ Ockham, *Reportatio* III, q. viii: "Pro univocatione nescio nisi tantum unam rationem, in cuius virtute omnes aliae rationes tenent . . . In virtute rationis praedictae tenet ratio prima Ioannis de conceptu dubio et certo, aliter non . . . Eodem modo tenet aliud argumentum Ioannis: Nullum obiectum ducit in notitiam alterius obiecti, nisi contineat illud virtualiter vel essentialiter . . . Eodem modo tenet alia ratio de remotione imperfectionis a sapientia creaturae et attribuendo sibi quod est perfectionis". — ed. Boehner.

⁶⁴ Ockham, *Com.* I, d. 2, q. 9, P: "Circa tertium dico quod Deo et creaturae est conceptus unus communis praedicabilis de eis in quid et per se primo modo". — ed. Lug.

⁶⁵ *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, P: "Circa quod ostendendum est primo quod Deus non potest cognosci in se, ita quod ipsamet divina essentia terminet immediate actum intelligendi nullo alio concurrente in ratione obiecti". — ed. Lug.

⁶⁶ *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, Q: "Primum ostendo sic: Omnis intellectus cognoscens aliquam naturam in se nullo alio concurrente in ratione obiecti potest vere cognoscere illam rem esse in re vel non includere contradictionem, immo non potest dubitare illud obiectum includere contradictionem; sed viator intelligens Deum notitia incomplexa, quantum est possibile viatori, potest dubitare, an includat contradictionem, quia potest dubitare, an includat contradictionem Deum est . . . Maior patet quia hoc est evidenter notum, quod numquam concipitur aliquid includens contradictionem sine pluribus obiectis conceptis, ergo concipiens tantum unam rem sine pluralitate obiectorum non potest dubitare illam rem includere contradictionem. Minor patet: quia multi dubitant Deum esse, et utrum sit possibile Deum esse". — ed. Lug.

nothing abstractively in itself by purely natural means without knowing it intuitively. Nor can it be known by the *species* of a thing because, first of all, a *species* is not admitted and, secondly, a species is not sufficient to produce abstractive cognition without a previous intuitive cognition.⁶⁷ The conclusion is, therefore, that God cannot be so known in himself that the divine essence itself is the immediate term of an act of understanding without the help of an accompanying thought-object.

Chatton questions this first thesis of Ockham and particularly the meaning of the phrase 'to know God in himself'. Certainly, it adds nothing to the problem under discussion to say that we do not know God intuitively, face to face.⁶⁸ Chatton continues that if Ockham insists that to know God in himself means that we can have no intellectual act which grasps God without the help of an accompanying thought-object then he must disagree and declare Ockham wrong because, as Chatton has previously shown,⁶⁹ nothing mediates between knowledge and God which is an *obiectum cognitum*. Here, Chatton again refers to his categorical denial of any theory of knowledge that demands an *esse obiectivum* or *esse fictum*. Likewise, Chatton does not hold as valid Ockham's arguments in support of his thesis. In the matter of Ockham's first supporting argument, Chatton points out that although one could not doubt about a simple proper concept of God, one can still doubt when it is a question of a complex concept.⁷⁰ Nor does Chatton see Ockham's second reason as valid: in fact, he claims it is false because he rejects intuitive knowledge for this life and proposes his own theory of knowledge in which *mediante compositione* a simple proper concept of God is possible to be attained.⁷¹ For William Ockham a proper knowledge of a singular is attained by means of intuition, while for Walter Chatton it is the intellectual process of composition and division that gives man his knowledge of the singular.

2) Ockham's second thesis is that we cannot know God in this life in a concept that is simple and proper to him.⁷² This is proved in this way: we can know nothing by purely natural means in a simple concept

⁶⁷ *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, Q: "Praeterea, omnis res cognita in se aut cognoscitur intuitive aut abstractive; ergo si essentia divina in se cognoscitur, aut cognoscitur a nobis intuitive aut abstractive. Non intuitive, patet, quia illa est beatifica . . . Nec abstractive, quia sicut declaratum est in prologo <Prol., q. ix E>, nulla res potest cognosci abstractive in se a nobis". — ed. Lug.

⁶⁸ *Text ed.* p. 98.

⁶⁹ *Comm.* I, d. 3, q. 1: Cf. *Ms.* 15886, fol. 134ra—137va.

⁷⁰ *Text ed.* p. 98.

⁷¹ *Text ed.* p. 98.

⁷² *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, P: "Secundo, quod non potest concipi a nobis pro statu isto in aliquo conceptu simplici proprio sibi". — ed. Lug.

proper to it without first knowing it in itself. Otherwise, for example, one could claim that a man born blind can know color in a concept proper to color; now it is no more reasonable that God, than that color, should be known in a proper concept without first being known in himself. But color cannot be known in a proper concept by a man born blind; consequently, neither can God.⁷³

On the contrary, Chatton holds that one can attain a concept that is simple and proper to God in this life. But this concept is certainly not attained by means of intuition; hence, a blind man needs the faculty of sight to acquire a knowledge of color.⁷⁴ Chatton rejects Ockham's theory of knowledge which claims that we have no simple concept about anything which is not directly perceived or known by us. It is, however, Chatton's contention that intellectual knowledge is not knowledge proper to a singular before the act of composition and division; yet, after the act of composition and division man can grasp the singular in a simple and proper concept and, in fact, he grasps God in this way.⁷⁵

For Chatton, intellectual knowledge is not knowledge proper to any singular before composition and division; if it were, then, as Ockham pointed out, no one could doubt God's existence. Proper knowledge of a singular must come after the intellectual process of composition. In order to prove this Chatton makes the inference that every perfection of knowledge as such which can be ascribed to sensitive cognition can be ascribed a fortiori to intellectual cognition. Now just as sensation does not immediately cause a knowledge of something impossible, so too intellectual cognition cannot cause a knowledge of something impossible. But if God were known in a simple and proper knowledge before composition, his existence could not be doubted, which is something impossible. Therefore, God and every singular can be known only after the intellectual process of composition.⁷⁶

3) Ockham's third thesis is that we can know God in a common concept that is predicable of him and others.⁷⁷ This thesis is proved by the

⁷³ *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, R: "Secundum ostendo: Quia nihil potest cognosci a nobis ex puris naturalibus in conceptu simplici proprio, nisi ipsum in se praecognoscatur. Ista patet inductive. Aliter enim posset dici quod color cognosci posset a caeco nato in conceptu proprio coloribus, quia non est maior ratio quod Deus cognoscatur in conceptu sibi proprio, sine praecognitione ipsius in se quam color; sed patet quod a tali non potest concipi color in conceptu sibi proprio. Ergo nec Deus". — ed. Lug.

⁷⁴ *Text ed.* pp. 98—99.

⁷⁵ *Text ed.* p. 98.

⁷⁶ *Text ed.* pp. 98—99.

⁷⁷ *Text ed.* p. 96 Ockham, *Com.* I, d. 2, q. 9, P: "Tertio, quod potest concipi a nobis in aliquo conceptu communi praedicabili de eo et de aliis". — ed. Lug.

following: God is known by us in some manner. But everything knowable by us is known either in itself, or in a simple concept proper to it, or in a composed concept proper to it, or in a concept common to it and others. But God cannot be known by us himself, or in a simple concept proper to him. Therefore, God is known by us in a composite concept proper to him or in a concept common to him and others. But if God is known in a composite concept proper to him, then he must be known in a concept common to him and others because a proper composite concept must be composed of simple and common concepts, since it cannot be composed of simple and proper concepts.⁷⁸

Chatton will consider Ockham's third thesis in combination with the following one.⁷⁹

4) Ockham's fourth thesis is that the common concept that is predicatable of God and others is quidditative.⁸⁰ This fourth point is shown by a proof advanced by Duns Scotus.⁸¹ If God is conceived in a concept common to him and others, then this concept is quidditative or denominative. If it is quidditative, the thesis is proved. If it is denominative, then one must question about this concept: to what kind of concept do you attribute this denominative concept, or of what kind of concept do you make the denominative concept a predicate? Either this concept is quidditative and the thesis is proved; or this concept is also denominative and then there will be a process *in infinitum*.⁸²

⁷⁸ *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, S: "Tertium ostendo: Quia omne cognoscibile a nobis aut cognoscitur in se aut in conceptu simplici sibi proprio aut conceptu composito proprio aut in conceptu communi sibi et aliis. Sed Deus aliquo modo cognoscitur a nobis, et non in primis duobus modis, sicut declaratum est, ergo tertio modo vel quarto modo. Si tertio, oportet quod cognoscatur quarto modo, quia conceptus compositus proprius, ex quo non potest componi ex conceptibus simplicibus propriis oportet quod componatur ex simplicibus et communibus". — ed. Lug.

⁷⁹ *Text ed.* p. 99

⁸⁰ *Text ed.* p. 96. Ockham, *Com.* I, d. 2, q. 9, P: "Quarto: quod aliquis talis, in quo potest sic concipi a nobis, sit sibi quidditativus". — ed. Lug.

⁸¹ *Text ed.* p. 96. Here Chatton attributes Ockham's proof to the vague 'ratione doctorum'. Ockham, however, clearly states that he uses a proof of the Subtle Doctor which he accepts as conclusive. Cf. Ockham, *Com.* I, d. 2, q. 9, T: "... unam rationem, quam facit iste Doctor Subtilis, quae mihi concludit." Cf. Scotus, *Ordinatio* I, d. 3, pars 1, q. 1—2, n. 25 (III, 16—17).

⁸² *Text ed.* pp. 96—97. Ockham, *Com.* I, d. 2, q. 9, T: "Quartum ostendam per unam rationem quam facit Doctor iste Subtilis, quae mihi concludit, et arguo sic: Si Deus cognoscatur in aliquo conceptu communi sibi et aliis, quaero: aut ille conceptus est quidditativus aut denominativus. Si quidditativus, habetur propositum. Si denominativus, tunc quaero de illo cui attribuis istum conceptum denominativum. Aut est denominativus, et sic est processus in infinitum, aut quidditativus, et habetur propositum". — ed. Lug.

Ockham confirms this proof as follows: Every denominative concept has a definition expressing the meaning of the term and in this definition something is put *in recto* and something *in obliquo*. Now I ask about one part of this definition: does it have a definition expressing the meaning of the term or not? If not, then the intended thesis is proved, namely, that such a concept is necessarily quidditative. If it does have a definition expressing the meaning of the term, then again I ask about the meaning of its parts as before. Thus, either this will go on *in infinitum* or we shall finally stop at some quidditative concept predicable of that of which the first denominative concept is predicated.⁸³ Ockham concludes that there is a concept, therefore, which is one and predicable of God and creatures *in quid et per se primo modo*. He adds that it follows from this that the spoken word corresponding to this concept is simply univocal.⁸⁴

As we noted, Chatton considers Ockham's third and fourth theses together and he contends that the argument expressed in the above form is inconclusive. With the conclusion of the argument, namely, that there is a common concept univocally predicated of God and creatures, there is, of course, no disagreement. Chatton suggests that in the structure of the argument there are two weaknesses. First, Ockham's reasoning could equally prove that there is one concept common to God and a chimaera. How do we know a chimaera? We do not see it in itself, thus, using Ockham's principles, we can not know it in a simple proper concept. The only way we could know it is in a concept common to it and others; this common concept will be either quidditative or denominative. Eventually, in order to avoid a process *in infinitum*, this common concept will be quidditative. But a chimaera is nothing. Thus, Chatton tries to reduce to absurdity the very form of Ockham's argument.⁸⁵

⁸³ Text p. 97. Ockham, *Com. I*, d. 2, q. 9, T: "Ista ratio confirmatur: quia omnis conceptus denominativus habet definitionem exprimentem quid nominis, in qua ponitur aliquid in recto at aliquid in obliquo. Tunc quaero de una parte illius definitionis: aut habet definitionem consimilem experimentem quid nominis, aut non? Si non, habetur propositum, quod talis necessario est quidditativus. Aut habet et quaero tunc de partibus, sicut prius: et ita vel erit processus in infinitum, vel stabitur ad aliquem conceptum quidditativum praedicabilem de illo, de quo primus conceptus denominativus praedicabatur". — ed. Lug.

⁸⁴ Ockham, *Com. I*, d. 2, q. 9, U: "Ex isto sequitur, quod est aliquis conceptus unus praedicabilis in quod et per se primo modo de Deo et creatura. Ex quo sequitur ultra, quod vox correspondens illi conceptui est simpliciter univoca". — ed. Lug.

⁸⁵ Text ed. p. 99

The second weakness, and it is one that Chatton does not know if Ockham would concede, is that the form of the argument could equally prove a process *in infinitum* in univocal concepts.

In Ockham's theory the univocal concept is not a proper concept because it is not arrived at by intuition; consequently, it is always a common concept. Chatton states that he could argue about this common concept *in infinitum* — and the process *in infinitum*, of course, does not lead to any knowledge.⁸⁶

5) Next, Ockham insists that, generally speaking, nothing real is univocal to God and creatures, taking 'univocal' in its strict meaning; for nothing that exists in a creature, whether it be essential or accidental, has perfect similitude with something which really exists in God. It is this strict univocation, and no other, that recognized authors deny is found between God and creature.⁸⁷

Chatton's comment on this is complete agreement with Ockham's conclusion and a criticism that Ockham says just the opposite in other places in his *Commentarium*, especially when he speaks about the many attributive concepts which he says are common to God and creatures.⁸⁸ Chatton objects that Ockham holds elsewhere that the concept of 'wisdom' is a quidditative concept in respect to God and creatures;⁸⁹ hence,

⁸⁶ *Text ed.* p. 99.

⁸⁷ *Text ed.* p. 97. Ockham, *Com.* I, d. 2, q. 9, U: "... quia universaliter, nihil quod est a parte rei est univocum quibuscumque. Dico tunc quod nihil est univocum Deo et creaturae accipiendo univocum stricte, quia nihil est in creatura nec essenziale nec accidentale, quod habeat perfectam similitudinem cum aliquo quod realiter est in Deo. Et istam univocationem sancti et auctores negant respectu Dei et creaturae et nullam aliam." — *ed. Lug.*

⁸⁸ *Text ed.* pp. 99—100.

⁸⁹ *Text ed.* pp. 99—100. Cf. Ockham, *Ordinatio* Prol., q. II, art. III (*Opera Theologica* I, ed. G. Gál and S. Brown, St. Bonaventure, N. Y., 1967, pp. 103—109): "Igitur conceptus bonitatis vel quicumque talis est quidditativus . . . Si dicatur <ut dicit Scotus, Reportatio Paris., I, Prol., q. 1, n. 50> quod de omnino eadem re, sine omni distinctione, possunt esse plures conceptus, scilicet quidditativus et denominativus, contra: quandocumque quidquid omnino a parte rei exprimitur per unum conceptum et per alium, non est maior ratio quod unus sit quidditativus quam alius. Sed si nulla penitus sit distinctio a parte rei inter divinam essentiam et intellectum et actum intelligendi, nihil imaginabile potest exprimi per unum conceptum magis quam per alium, igitur uterque erit quidditativus vel neuter . . . Confirmatur ista ratio: quia ille conceptus qui praecise exprimit quidditatem et nihil aliud, est quidditativus. Non enim potest alia ratio assignari quare aliquis conceptus est quidditativus; ergo omnis talis conceptus est quidditativus.

Quod autem sit immediatus, patet, quia nihil est medium. Quia nec Deus, certum est, nec aliquid creatum, quia illud erit alterum condividens; sicut quando dicitur 'sapientia quaedam est creata, quaedam increata', 'sapientia' ibi immediate praedicatur de sapientia increata quae nullo modo distinguitur ab essentia divina. Ergo nullus talis conceptus poterit demonstrari a priori de Deo distincte cognito, nisi forte demonstretur passio aliqua entis in

Ockham is not consistent with his own reasoning and asserts what he is really denying here, namely, that there is a perfect similitude between God and creatures.

Chatton argues: in the predication 'God is wise', 'man is wise' 'wise' is not predicated of God and man univocally because it is not predicated *in quid* of both;⁹⁰ that it is not predicated *in quid* of both is clear because the concept of wisdom and the other attributive concepts come under the formal description of substance when predicated of God but do not do so when predicated of man.⁹¹ Conversely, 'wisdom' for man is a qualitative, accidental predicate; hence, if 'wisdom' were univocal to God and man, God's wisdom would be accidental and a mere quality.⁹²

It would seem that Chatton is being a bit unfair in this criticism of Ockham. Inconsistencies may exist in Ockham's writings but it is difficult to find anywhere in Ockham an outright admission that something exists in a creature which has perfect similitude with something which really exists in God. Ockham, of course, does hold that there is some similarity between God and creature; in fact, in the doctrine of Ockham, similarity is the basis for all univocity.⁹³

Ockham has distinguished three degrees of univocity based on similarity. The first deals with those things which are perfectly similar,

communi de Deo per ens tamquam per medium, ita quod aliquis conceptus communis Deo et creaturae sit medium in illa demonstratione . . .

Si dicatur <ut dicit Scotus, Reportatio Paris., I. Prol., q. 1, nn. 50—51> ad omnia ista quod praeter essentiam est distinctio formalis attributorum, et illa distinctio sufficit ad hoc quod unus conceptus sit quidditativus et alius denominativus, et ad hoc quod aliquid demonstratur de aliquo demonstratione propter quid et a priori.

Contra: hoc non salvat istum Doctorem. Primo, quia ponit quod omnia ista possent salvari sine omni distinctione formali, propter solam distinctionem rationis et propter solam distinctionem per relationes rationis se mutuo respicientes. Unde dicit sic: Una res potest virtualiter continere conceptus quasi denominativos qui possunt ab intellectu distingui a conceptu quidditativo, et hoc praecise si illi conceptus sint tantum distincti per relationes rationis mutuo se respicientes. Forte tamen posset poni alia distinctio maior illorum conceptuum quam secundum relationes rationis.

Ex istis et aliis ibidem patet quod intentio sua est ponere tales conceptus, scilicet quidditativum et denominativum, sine omni respectu ad extra etiam si non esset distinctio formalis . . ." Cf. also Ockham, *Ordinatio*, Prol., q. VI (*Opera Theologica* I, ed. G. Gál et S. Brown, pp. 180—181).

⁹⁰ *Text ed.* p. 100: "Ergo 'sapiens' non dicitur de eis univoce, quia non in quid utrobique."

⁹¹ *Text ed.* p. 100: "Igitur non est ibi univocatio quia conceptus sapientiae et alii conceptus attributales cadunt in formali descriptione substantiae ut convenit Deo et non ut convenit creaturae, quia haec est praedicatio in quid et per se primo modo per se pro Deo 'substantia est sapiens' et non pro creatura." ⁹² *Text ed.* p. 100.

⁹³ Cf. M. Menges, *The Concept of Univocity Regarding the Predication of God and Creature According to William Ockham* (St. Bonaventure, N. Y., 1952) 57—113.

i. e. all the notes in the two things compared have the same formal character;⁹⁴ this perfect similarity is found in a *species specialissima*.⁹⁵ The second degree of univocity based on similarity applies to things which have some notes the same and some different; this is imperfect similarity and is found when we abstract whatever is the same between two species which fall under the same genus.⁹⁶ The third degree of univocity is taken for a concept univocal to many, not having any similarity either in substantial or in accidental things:

"In a third sense 'univocal' denotes a concept common to many things which have no likeness, either substantial or accidental. In this manner, every concept which applies to God and to creatures is univocal to then; for in God and in creatures there is nothing at all, intrinsic or extrinsic, which is of the same kind.

The first and the second univocation the saints deny of God, the first because nothing essential in God and in creatures comes under the same concept, the second because nothing accidental comes under the same concept in God and in creatures . . . Just as the essence of God is dissimilar to that of creatures, so likewise are the wisdom of God and the goodness of God . . . However, the third univocation is admitted even by the saints, and both by those who hold univocation and those who deny it. Even the philosophers admitted such univocation in God."⁹⁷

⁹⁴ Ockham, *Reportatio* III, q. viii: "Univocum accipitur uno modo pro conceptu communi aliquibus habentibus perfectam similitudinem in omnibus essentialibus sine omni dissimilitudine, ita quod hoc sit verum tam in substantialibus quam in accidentalibus, sic quod in forma accidentali non est reperire quid dissimile cuilibet formae in alia forma accidentali eiusdem rationis . . . Et sic accipiendo univocum solus conceptus speciei specialissimae solum est univocus, quia in individujs eiusdem speciei non est reperire aliquid alterius rationis in uno et in alio." — ed. Boehner.

⁹⁵ Ockham, *Com.* I, d. 2, q. 9. N: "Secundo distinguo de univoco . . . uno modo secundum quod praecise praedicatur de pluribus realiter distinctis, quae non sunt una res realiter, sed sunt simillima. Et isto modo non invenitur univocatio nisi in specia specialissima, quia sola individua speciei specialissimae sunt sibi simillima." — ed. Lug.

⁹⁶ Ockham, *Reportatio* III, q. viii: "Alio modo accipitur 'univocum' pro conceptu communi aliquibus, quae nec sunt omnino similia nec dissimilia, sed in aliquibus similia et in aliquibus dissimilia, vel quantum ad intrinseca vel ad extrinseca. Hoc modo homo et asinus conveniunt in conceptu animalis sicut in conceptu univoco, et licet formae specificae eorum sunt alterius rationis, tamen materia in eis est eiusdem rationis, et sic conveniunt in aliquo essentiali et in aliquo differunt . . . Et de isto univoco dicit Philosophus vii^o *Physicorum*, quod in genere latent multae aequivocationes, quia accipiendo 'aequivocationem', ut distinguitur contra similitudinem perfectam vel contra univocationem aliquorum habentium similitudinem perfectam, sic conceptus generis tam subalterni quam generalissimi non est univocus sed potius in genere sic est aequivocatio." — ed. Boehner.

⁹⁷ Ockham, *Reportatio* III, q. viii: "Tertio modo accipitur 'univocum' pro conceptu communi multis non habentibus aliquam similitudinem, nec quantum ad substantialia nec quantum ad accidentalia. Isto modo cuilibet conceptus conveniens Deo et creaturae est eis univocus, quia in Deo et creatura nihil penitus nec intrinsecum nec extrinsecum est eiusdem rationis.

Ockham most emphatically insists that God and creature are different in the concrete order, i. e. there is no ontological univocity.⁹⁸ Yet, at the same time he also says that one concept can be predicated of God and creature and that this concept, in spite of the measureless difference between God and creature, can still signify the two.⁹⁹

The question that Ockham must answer is: how can dissimilar things be considered similar? Or, why does he consider God and creature similar although they are different? Ockham tells us that we can do this only if we ignore the imperfections which go with the concept of the created thing.¹ In other words, we must direct our attention solely to the definition of the perfection which we predicate of God and creature and do not consider the notes 'finite', 'capable of increase', etc. Thus, as long as we abstract from the determinations of the modalities of being, the same formal perfection, i. e. its definition, can be predicated of God and creature; hence, dissimilar things can be united in one

Primam univocationem et secundam negant Sancti a Deo. Primam, quia nihil essentiale in Deo et creatura est eiusdem rationis; secundam, quia nihil accidentale est eiusdem rationis in Deo et creatura. Sicut enim essentia Dei est dissimilis essentiae creaturae, ita sapientia Dei et bonitas sua . . . Tertiam univocationem ponunt etiam Sancti et tenentes univocationem et negantes eam, et etiam philosophi posuerunt talem in Deo." — ed. Boehner.

⁹⁸ Ockham, *Ordinatio* I, d. 2, q. 9. C: "Si enim intelligat, quod aliqua ratio formalis inventa in creatura, sive auferendo ab ea aliquid sive non auferendo, possit Deo attribui et esse in eo, accipit simpliciter falsum; quia nihil, quod est in creatura realiter, qualitercumque spoliatur, potest Deo attribui . . . nihil reale est univocum Deo et creaturae, et per consequens, nihil quod est realiter in creatura (extra animam nisi forte vox) per nullam separationem vel ablationem potest Deo attribui; sed tantum attribuitur sibi et creaturae unus conceptus, qui nec est in Deo nec in creatura (extra), quamvis de utroque praedicatur." — ed. Boehner. The words in parentheses probably belong to the second redaction of this work. Cf. P. Boehner, "Scotus' Teachings according to Ockham", *Franciscan Studies*, 1946, 101—102.

⁹⁹ Ockham, *Reportatio* III, q. viii: "Igitur oportet necessario ponere quod intelligendo Deum pro statu isto cognoscam eum in conceptu communi sibi et aliis, ita quod illud quod terminat actum intelligendi est aliquid unum sine multitudine, et illud est commune ad multa". — ed. Boehner. *Com.* I, d. 2, q. 9. GG: "Alio modo, quia scilicet est aliquid unum quod aequaliter respicit illa, et isto modo dico quod Deus et creatura in aliquo parificantur. Illud tamen unum non est intrinsecum Deo nec creaturae. Unde sicut non est aliquid inconueniens Deum et creaturas parificari in aliqua voce aequae primo Deum et creaturam significante, quia illa vox non est aliquid de essentia Dei vel creaturae, ita non est inconueniens Deum et creaturam parificari in aliquo conceptu univoco, quia ille conceptus univocus non est de essentia Dei nec creaturae". — ed. Lug.

¹ Ockham, *Com.* III, q. 9. S: "... Et ideo, abstrahere imperfectionem a sapientia creata non est nisi abstrahere conceptum sapientiae a creatura imperfecta, qui non plus respicit creaturam quam non creaturam, et illud quod resultat attribuendum est Deo per praedicationem, et illud dicitur esse perfectionis quatenus potest praedicari de Deo et supponere pro eo". — ed. Lug.

concept. When we abstract and consider only the definition of wisdom without its intrinsic modes, we can attribute it to God and creatures univocally — yet, in this state it exists in neither.² Similarity is the basis for univocity and, Father Menges tells us,³ by similarity Ockham means that either the essential or accidental notes have the same formal character. Concretely or objectively, however, there is no common concept between God and creature;⁴ in fact, “universally nothing on the part of things is univocal to anything else”.⁵

We saw that for Ockham real similarity was taken as the basis for univocity. Now we see that Ockham holds that things are never univocal *a parte rei*. When we abstract from the intrinsic modes of wisdom, the wisdom of God is still concretely different from the wisdom of the creature. How can Ockham conceive them as if they were the same when he has already removed any justification in reality for any common concept predicated univocally of God and creatures? Objectively, in Ockham's system, things are always different because the things compared are totally singular and unique. The weakness in Ockham's exposition seems to be the one universally recognized: there is no objective content to his concepts. Certainly, there is no perfect similarity between God and creature in Ockham's doctrine; yet, he holds that the creature is ‘in some way’ an image of God.⁶ The wisdom of God is

² Ockham, *Com.* III, q. 9. S: “Nisi enim posset talis conceptus abstrahi a creatura, modo non plus per sapientiam creaturae deveniretur in cognitionem sapientiae divinae, puta quod Deus sit sapiens, quam per cognitionem lapidis devenitur ad cognoscendum quod Deus sit lapis; quia sicut sapientia creaturae continetur virtualiter in Deo, ita lapis. Unde non obstante quod tanta sit distinctio inter sapientiam Dei et sapientiam creaturae, sicut inter Deum et lapidem, nec plus sunt eiusdem rationis ex una parte quam alia, tamen a sapientia creaturae potest abstrahi conceptus communis et a lapide non”. — ed. Lug.

³ M. Menges, *The Concept of Univocity . . .*, 67.

⁴ Ockham, *Quodl.*, II, 4: “Non praedicatur de eis aliquis conceptus concretus talis secundum eandem definitionem exprimentem quid nominis; ergo non univoce. Assumptum probatur. Nam sapiens praedicatur de creatura secundum istam definitionem, scilicet, habens sapientiam accidentalem. Et sapiens sic dictum non praedicatur de Deo, sed de Deo praedicatur secundum istam definitionem: existens sapientia . . . Ergo, sapiens praedicatur aequivoce et non univoce de Deo et creatura”. — ed. Boehner.

⁵ Ockham, *Com.* I, d. 2, q. 9. U: “. . . quia universaliter, nihil quod est a parte rei est univocum quibuscumque”. — ed. Lug.

⁶ Ockham, *Cpm.* I, d. 3, q. 10. D: “. . . Illa creatura maxime proprie dicitur imago Dei quae habet aliquid Deo simillimum, ita quod erit praecise commune univocum Deo et ille creaturae. Et quia creatura rationalis est huiusmodi, ideo ipsa sola dicitur imago Dei . . . Patet enim quod entitas non dicitur univoce de Deo et creatura irrationali quacumque tantum, sed etiam de creatura rationali, et ita est universaliter de omnibus quae dicuntur secundum proprietatem et non tantum secundum similitudinem . . .”. — ed. Lug.

altogether different from the wisdom of man, still there is something common. The wisdom of creatures is similar when compared with other creatures but Ockham, seemingly anticipating the objection of Chatton,⁷ says the similarity between the divine and human wisdom is not of the same type as between creatures:

"Therefore, in the impossible supposition that wisdom, word, love, etc. were accidents in God as they are in creatures, then a rational created substance, produced and formed according to His own accidents . . . would have accidents of the same character as the accidents of God . . . therefore, rational creature alone can be called in some way an image of God, although not so perfectly as it would be if there were accidents both in God and in the creature."⁸

Ockham insists that man is 'in some way' similar to God, but not perfectly as he would be if the supposition in the above quotation were realized.

Thus, we must conclude that Chatton exaggerates when he accuses Ockham of admitting that something exists in a creature which has a perfect similarity with something that really exists in God. We must indicate, too, that Chatton neglects to attack Ockham on the precise meaning of similarity and misses an opportunity to demand of Ockham an explanation of the objective foundation of his concepts.

6) Ockham maintains that something is univocal to God and creatures without there being any composition in God Himself. The reason why a common univocal concept does not make for composition in God is this: For just as that which is univocal to any individuals of the same lowest species does not enter into composition with the individuals themselves nor with anything existing in the individuals, so that which is univocal to God and creature does not make for any composition in God.⁹

⁷ *Text ed.* p. 100.

⁸ Ockham, *Com. I*, d. 3, q. 10. D: " . . . Unde si per impossibile, sapientia, verbum, dilectio et huiusmodi essent accidentia tam in Deo quam in creaturis, tunc substantia rationalis creata, producta et formata secundum talia accidentia ad imaginem vel similitudinem Dei secundum sua accidentia . . . haberet accidentia eiusdem rationis cum accidentibus Dei . . . ideo creatura rationalis sola potest dici aliquo modo imago Dei, quamvis non ita perfecte sicut si essent accidentia tam in Deo quam in creatura". — ed. Lug.

⁹ *Text ed.* p. 97. Ockham, *Com. I*, d. 2, q. 9. U: "Et ideo dico, quod sine omni compositione ex parte Dei aliquid est univocum sibi et creaturae: quia sicut univocum quibuscumque individuis cuiuscumque speciei specialissimae non facit compositionem cum ipsis individuis nec cum quibuscumque existentibus in individuis, ita nec univocum Deo et creaturae facit aliquam compositionem in Deo." — e. Lug.

Chatton indicates that he has already expressed his criticism against this reasoning of Ockham and refers us to the third article of the preceding question.¹⁰ The following commentary is based upon it.

In the third article of the preceding question, Chatton is concerned with determining whether there is a concept that is common to God and creature.¹¹ He asserts that he is certain there is such a common concept because in the propositions 'everything which is finite or infinite is being', and 'every being is either finite or infinite', the predicate in the first proposition and the subject in the second proposition are concepts common to God and creature. He also employs the 'certain-doubtful' argument of Scotus to show that there is a concept common to God and creatures: a man may be certain that something is a being and still doubt whether it is finite or infinite, whether it is God or creature.¹² Hence, the human intellect can have a concept common to God and creature. Chatton strengthens this conclusion with five further reasons:¹³

1) without a common concept, there would be no contradiction between being and non-being; 2) without it, there would be no possibility of a complex composed from transcendentals — in fact, there could not be any transcendentals nor any first principles; 3) a transcendental term could not be used as the middle term of a syllogism if there is no concept common to God and creature; 4) if a universal or common negative concept is possible, e. g. 'nothing' or 'non-being', so, too, is a universal affirmative concept possible; 5) if 'being' may be divided in several ways (inside or outside the soul, in act or in potency), then it can be divided, a fortiori, into finite or infinite. Hence man can attain and must be able to attain a concept which is common to God and creature.

Chatton next proceeds to list some doubts raised against this conclusion. It is the seventh doubt which interests us here. It is the one raised by Ockham.¹⁴

¹⁰ *Text ed.* p. 100 "Contra septimum dictum patet quaestione praecedente, articulo tertio, dubio septimo." The reference is to Chatton's *Sent.* I, d. 3, q. 1, a. 3 and is contained in ff. 137va—140ra of *ms. Paris, Nat. lat.* 15886.

¹¹ *Ms. Paris*, 15886, fol. 137va: "...quaeritur utrum creatura rationalis potest habere aliquem conceptum universalem seu communem Deo et creaturae."

¹² Cf. *Ms. Paris*, 15886, fol. 137va—137vb.

¹³ Cf. *Ms. Paris*, 15886, fol. 137vb.

¹⁴ Cf. *Ms. Paris*, 15886, fol. 139vb: "Ad septimum dubium, cum quaeritur si conceptus communis sit de primo intellectu inferioris, aliqui dicunt in Primo, d. 2, q. 7, in solutione argumentorum, quod universaliter nunquam superius est de essentia inferioris nec includitur essentialiter in inferiori". Cf. *Text ed.* p. 100.

Ockham holds that there is a concept common to God and creature.¹⁵ His argument here concerns the way this common concept is understood and talked about. Ockham points out that granted there is a common concept one should not think that a superior concept, or a common concept, is needed for the primary understanding of an inferior concept. For Ockham, a concept, even the most common concept possible, is not included in the inferior concept nor deduced from the inferior concept essentially or virtually. If it were, says Ockham, there would be composition in God; to safeguard the simplicity of God, then, Ockham insists that we must not speak about a common concept as if it is included essentially in the concepts inferior to it: "quod universaliter numquam superius est de essentia inferioris, nec includitur essentialiter in inferiori".¹⁶ Concepts are not mutually inclusive; each concept is independent, comes from experience and does not involve other concepts.

Chatton replies to this observation of Ockham's by remarking that it is meaningless. It has no foundation in fact because when one speaks about concepts no one thinks of concepts as parts of other concepts in the sense of physical parts or in any gross sense of composition, as if the essence of the common concept 'animal' formed some physical part of the essence of its inferior concept 'man'. Chatton insists that no one thinks that one simple intellection is an intrinsic part of another; concepts do come from experience but when it is a matter of simple apprehension there is no implication that any one concept is an intrinsic part of another. On the contrary, however, if one speaks of the knowledge of God, or knowledge common to God and man, i. e. when one speaks of analytical knowledge one can quite easily say that the higher concept is included in the lower but one does not mean that the higher concept is included as if it were a physical part.¹⁷

¹⁵ Ockham, *Com.* I, d. 2, q. 9. P: "... Deo et creaturae est conceptus unus communis praedicabilis de eis in quid per se primo modo. Circa quod ostendendum est ... quod Deus ... potest concipi a nobis in aliquo conceptu communi praedicabili de eo et de aliis." — ed. Lug.; *Reportatio* III, q. viii: "Igitur oportet necessario ponere, quod intelligendo Deum pro statu isto cognoscam eum in conceptu communi sibi et aliis, ita quod illud quod terminat actum intelligendi est aliquid unum sine multitudine, et illud est commune ad multa." — ed. Boehner.

¹⁶ Ockham, *Com.* I, d. 2, q. 7. X. — ed. Lug.

¹⁷ Cf. *Ms.* Paris, 15886, fol. 139vb: "Nullus enim intelligit quod intellectus unus communis sit ipse magis communis vel quod intellectio una sit pars intrinseca alterius intellectionis simplicis."

Chatton distinguishes three ways that the statement "*superius est de primo intellectu inferioris*" has meaning and involves no composition in Ockham's sense:¹⁸

1) The superior concept is part of the definition of the inferior concept, e. g. 'sentient' is part of the definition 'animal', as 'animal' is part of the definition 'man'.

2) The lower concept requires that the reality to which it corresponds be such as is also signified by the higher concept, e. g. the reality signified by the lower concept 'man' must be such that it is also essentially signified by the higher concept 'animal'.

3) Granted the knowledge of terms, one can virtually know the superior concept in the inferior, e. g. if I have knowledge by which I can conclude that the reality off at a distance is a man then, by that very fact, I virtually know that that reality is an animal, a body, a substance, etc. Chatton again seems to have in the back of his mind Ockham's criticism of what Scotus meant by to 'virtually' contain. Chatton removes all the mystery about the fact that I know 'animal' virtually in knowing 'man' — it is merely the habitual knowledge of the human being who knows that every man is an animal, every animal is a body, and so on.

Chatton's conclusion, then, is that the superior concept does belong to its inferior concept, that the higher concept must correspond to reality just as the inferior concept, i. e. that there is some objective foundation to all concepts, superior as well as inferior. Chatton holds that the concepts common to God and creature are included in inferior concepts and this does not imply any composition in God.

The final two objections which Chatton takes from Ockham's teaching

¹⁸ *Ms. Paris 15886, fol. 139vb*: "Intendunt enim homines significare cum dicunt quod '*superius est de primo intellectu inferioris*': uno modo sic, quod conceptus per se superior est pars definitionis inferioris. Alio modo sic, quod inferius requiret per se et essentialiter quod illud cui convenit sit tale quale significatur esse per suum per se superius; et hoc, si hoc sit inferius ad illud universaliter, nam impossibile est aliquid significari per tale per se inferius quin illud per se significetur per tale superius. Tertio modo sic, quod cognitio non potest sufficere ad cognoscendum vel ad concludendum inferius de aliquo quin per eam intellectus cognoscat virtualiter suum superius de eodem, ita quod per eam natus sit intellectus statim cognoscere suum superius de eodem, praesupposita experientia terminorum. Si enim habeam cognitionem qua concludo de veniente a remoto quod sit homo, eo ipso autem virtualiter cogito quod sit animal; habeo enim talem cognitionem per quam possum concludere quod sit animal et quod sit corpus et quod sit substantia, loquendo de intellectu qui novit habitualiter quod omnis homo est animal et corpus etc."

on univocity concern the way Ockham distinguishes a univocal concept from other concepts.

7) Ockham claims that one must distinguish a univocal concept from a proper concept on the one hand and from a denominative concept on the other.¹⁹ For Ockham no one concept predicable of many is a proper concept because a proper concept is predicable of only one reality.²⁰

Chatton refuses to admit this distinction and argues:²¹ a proper concept is either univocal, equivocal or analogous. Ockham himself does not admit an analogous concept and, of course, holds that there is no such thing as an equivocal concept.²² Therefore, a proper concept must be a univocal concept — indeed, every proper concept is supremely univocal.²³ For Chatton the very idea of distinguishing a proper concept from a univocal concept could only lead to equivocation in concepts. Chatton implies here that a univocal concept is a concept that has one essential meaning, that stands for one *ratio substantialis*, and the univocal term is a term for every name that is subordinated to one concept whether it signifies several things or not. A proper concept has one essential meaning; hence, it is univocal.

8) Ockham does not admit analogy as a medium between univocity and equivocation:²⁴ analogy must be reduced to either univocity or equivocation and there is no third possibility due to an analogical concept. The reason is that things are considered either the same or not the same; if things are considered the same, one concept signifies all of them; if they are not considered the same, there are several concepts;

¹⁹ *Text ed.* p. 97.

²⁰ Ockham, *Com.* I, d. 2, q. 9. L: "Circa primum dico: quod conceptus univocus uno modo potest intelligi distingui contra conceptum proprium. Alio modo potest intelligi distingui contra conceptum denominativum. Primo modo nullus conceptus unus praedicabilis de pluribus sive per se primo modo, sive secundo modo, sive per accidens, sive necessario, sive contingenter est conceptus univocus quia nullus conceptus praedicabilis de pluribus est conceptus proprius uni rei." — ed. Lug.

²¹ *Text. ed.* q. 100. For some interesting observations on how a concept connoting exclusiveness is predicable, in itself, of an indefinite number of concrete or at least possible objects confer J. Dopp. *Formal Logic* (New York, Wagner Ic., 1960), 94—97.

²² Ockham, *Com.* I, d. 2, q. 9. K: "... sed nec proprie nec improprie debet dici, quod aliquis conceptus est aequivocus." *Com.* III, q. 9. F: "Aequivocatio non est in conceptu, sed tantum in voce vel scripto." — ed. Lug.

²³ *Text ed.* p. 100: "... quia conceptus proprius est maxime univocus."

²⁴ *Text ed.* p. 97. Cf. M. Menges, *The Concept of Univocity* ..., 114—136.

there is no possibility for a concept to say 'partly the same' about things.²⁵ There is no medium in concepts and thus no special place to be found for analogy as a predication distinct from univocity and equivocation.²⁶

Chatton is in total disagreement with Ockham on this point and refuses to dismiss as impossible analogous predication and the analogous concept. For him, there must be an analogous concept or there is equivocation in concepts.²⁷

Here the disagreement between Chatton and Ockham can be reduced to this: Ockham holds that univocity can be taken in two ways: first in the strict sense, when the univocal predication is in *quid* predication — thus 'animal' is predicated univocally of man and ass and it is predicated in *quid* because 'animal' signifies all its signified objects by one imposition and by means of one concept and by means of one logical and grammatical mode of signifying; secondly, univocity can be taken in a broad sense, namely, when the univocal predication is not in *quid* but denominative or in *quali* — thus 'white' signifies all its significates by means of a single imposition and by means of one concept, but it does not signify by means of one logical mode, since it signifies one thing directly, namely, the subject, and another obliquely, namely, whiteness.²⁸ For Chatton, univocity has only one meaning; it is re-

²⁵ Ockham, *Quodl.* IV, 16: "Hoc supposito, dico ad quaestionem, quod accipiendo praedicationem aequivocam generaliter, ut est commune ad praedicationem aequivocam a casu et a consilio, sic praedicatio analogica non est media inter praedicationem aequivocam, univocam et denominativam . . . Omnis praedicatio vel est in conceptu vel in voce vel in scripto. Sed in conceptu non est praedicatio aliqua analogica, quia aut praedicatur unus conceptus de uno conceptu, aut plures conceptus de uno conceptu, vel plures conceptus de pluribus conceptibus."

²⁶ Ockham, *Com.* I, d. 2, q. 9. EE: "Ad propositum dico quod analogum primo modo est aequivocum simpliciter, non tamen a casu sed a consilio, et hoc dicit Philosophus, II *Posteriorum*, quod simile quid dicitur de colore respectu coloris, et dicitur figura respectu figurae est aequivocum, et secundum analogiam dictum. Unde dicit sic Philosophus similem esse colorem colori et figuram figurae aliam causam oportet esse, aequivocum enim est simile in omnibus. Hoc quidem enim fortasse est secundum analogiam habere latera et aequales angulos, in coloribus autem sensum unum esse aut aliquid aliud huiusmodi. Secundum autem analogiam hae eadem sunt, medium se habet secundum analogiam. Ex quo patet quod illud analogum est aequivocum." — ed. Lug.

²⁷ *Text ed.* p. 101.

²⁸ Ockham, *Quodl.* IV, 16: "Distinguo de univoco, quia aliquando accipitur stricte, quando scilicet, subiectum et praedicatum significant illa pro quibus supponunt unica impositione et uno conceptu, et uno modo significandilogicaliet grammaticali. Et sic, omnis praedicatio univoca est praedicatio in quid. Sic enim, 'animal' praedicatur univoco de homine et de asino et in quid, quia sicut 'animal' significat omnia sua significata unica impositione mediante uno conceptu, et in recto significat omnia aequae primo — et non unum in recto et aliud in obliquo, nec unum principaliter et aliud secundario

stricted to what Ockham call's 'univocity taken strictly'; univocal predication is *in quid* predication. Chatton regards all denominative predication or predication in *quali* as analogical predication.²⁹

Chatton insists, with Ockham, that no one concept is equivocal.³⁰ Equivocation lies in words, not in concepts. Unlike Ockham, however, Chatton holds to analogy and restricts the meaning of univocation to that concept which signifies many subjects by means of one *ratio substantialis* and is predicated *in quid* or by means of one logical and grammatical mode. Chatton opts for analogy because without it there is no possibility of metaphysics.

CONCLUSIONS AND EVALUATIONS

I. Reaction to Aureoli and Ockham:

On the question of the univocity of being, Chatton is opposed, on the one hand, to Aureoli's refusal to admit the Scotistic univocal concept,³¹ and, on the other hand, to Ockham's exaggeration of univocity to the exclusion of analogy.³² Chatton stands in the middle — in a position, he claims, truly representative of Scotus himself.³³

Against Aureoli, Chatton insists that the unity of the concept of being is a unity of a distinct *ratio* and that univocation, to have any meaning, involves a common name signifying, in all its predication, this same one, determined *ratio*, namely, the same quiddity of the thing in so far as that quiddity is an object of the intellect. The concept of being is a thought-content, a *ratio*; univocity of being is the predication, in all instances, of this identical and distinct *ratio*.³⁴ Aureoli's indistinct *ratio* leads not only to equivocation but to the destruction of the point Aureoli defends, namely, the simple unity of the concept of being.³⁵ It is inconceivable to Chatton how Aureoli can affirm the simple unity

— ita per omnia significat 'homo' eodem modo sua significata et 'asinus' similiter, et ideo praedicatur univoce et in quid.

Aliquando accipitur univocum large, quando scilicet, subiectum et praedicatum significant illa pro quibus supponunt unica impositione mediante uno conceptu, et indifferenter uno modo significandi vel diverso, et sic praedicatio univoca non est praedicatio in quid sed denominativa. Sic enim, praedicatur 'albus' univoce de homine et de asino, quia 'albus' significat omnia sua significata una impositione et mediante uno conceptu, sed non significat uno modo significandi logicali, quia unum significat in recto, puta subiectum, et aliud in obliquo, puta albedinem." Cf. M. Menges, *The Concept of Univocity* . . . , 37—56.

²⁹ *Text ed.* pp. 105—107.

³⁰ *Text ed.* p. 100: "... quia nullus conceptus est aequivocus". Cf. *Text ed.* p. 110.

³¹ *Text ed.* pp. 91—95.

³² *Text ed.* pp. 95—101.

³³ *Text ed.* pp. 101, 104.

³⁴ *Text ed.* pp. 101—105

³⁵ *Text ed.* pp. 94—95.

of the concept of being and not admit that the *ratio* of being is distinct and, therefore, univocal.

Against Ockham, Chatton emphasises that the univocity of being does not exclude analogy.³⁶ Both franciscans agree, of course, that ontological univocity must be avoided at all costs. However, it is Chatton's judgment that Ockham fails to avoid that pitfall for the precise reason that he will not admit the analogical predication of the concept of being. Chatton argues that Ockham has overstressed univocity and the result of this overstress is that, although Ockham may have a valid logic, he cannot have a metaphysics. Chatton is at a loss to understand how metaphysics is possible without analogy.³⁷

Chatton considers metaphysics as the science of real beings; hence precisely because it is a study of the real, it must consider beings as they are in fact, namely in all their modalities, in their total actuality. In reality, God and creatures are entirely unlike; they possess, in their actual beings, the respective modes of infinity and finitude, which immediately establish an infinite dissimilarity. Yet, Chatton maintains, the metaphysician is also aware of a fundamental similarity in being among all beings, of an order of dependence in reality, an order, if you will, of attribution in being.³⁸ The metaphysician can express this real order of dependence solely through analogy, which alone avoids complete equality of the real on the one hand and total inability to talk meaningfully of the relation of dependence on the other.

The logician, on the contrary, is concerned with the conceptual order and the expression of that conceptual order in spoken and written terms. He is concerned with meaning alone and not with fact. He is able, therefore, to prescind from the modalities of reality and abstract from creatures a notion of 'being' that is predicable of every real thing.³⁹ There is no 'being as such' in the universe outside the mind; there are only beings: inanimate objects, plants, animals, men, God. Yet, the logician, because he can ignore the intrinsic modalities of individuals, can conceive every individual as a 'being' so that the notion 'being' can be predicated with exactly the same meaning of every reality. Thus, there is a concept which can be predicated about everything that exists

³⁶ *Text ed.* pp. 101, 107—108, 126.

³⁷ *Text ed.* pp. 116—117. Cf. Scotus, *Metaph.* 4, q. 1, n. 12 (VII, 153a). For an interesting discussion of the same point in a contemporary writer, see J. Anderson, *Reflections on the Analogy of Being* (The Hague, 1967), especially pages 56—79.

³⁸ *Text ed.* pp. 107—108.

³⁹ *Text ed.* pp. 102—105.

or can exist; there is something univocally common to God and creatures in the conceptual order; one and the same distinct *ratio* 'being' can be predicated of God and creatures so that the spoken or written term 'being', which expresses this *ratio*, is univocal. And this, says Chatton, echoing Scotus, is what he means by a univocal concept: it is that concept which possesses sufficient unity in itself so that to affirm and deny it of the one and the same thing would be a contradiction; it is that concept which has sufficient unity to serve as the middle term of a syllogism.⁴⁰

According to Chatton, then, the univocal concept of being is a common concept applicable to God and creature; it is, of course, a universal concept. Now underlying his discussion of the univocity of being, it appears that Chatton is preoccupied with the question of the reality or the nature of the universal concept.⁴¹ This preoccupation can be explained as Chatton's conscious attempt to save the Scotistic realistic theory of knowledge from the conceptualism of Aureoli and Ockham — a conceptualism revealed in their *factum* theory.

Aureoli⁴² and Ockham⁴³ insist that the object of knowledge is an *esse factum*, that is, the concept or universal is a mental picture which exists not as a reality or a quality of the mind but only as an object of thought. According to this theory, universals have no subjective reality, no *esse subiectivum*, as, for example, a species, quality, habit; they possess only an *esse obiectivum*; they are *ficta* or *idola* of the mind; they are constructed by the mind with only a very vague correspondence to reality.

With Scotus, Chatton demands a realistic theory of knowledge and insists that the object of knowledge is an *esse reale* and in no sense of the word an *esse factum*. Ockham, as we have seen, rejects any position which gives to a universal concept a foundation *in re*,⁴⁴ and Chatton is as hostile to this position as to the extension of univocity to the metaphysical order. For Chatton, knowledge is of real things; yet, the problem remains to explain precisely what is the nature of the universal concept. To counteract the *factum* theory of Aureoli and Ockham, therefore, and at the same time to make his Scotus meet their objections,

⁴⁰ *Text ed.* p. 101. Cf. Scotus, *Ordinatio* I, d. 3, p. 1, qu. 1—2, n. 26 (III, 18).

⁴¹ *Text ed.* pp. 93, 94.

⁴² Cf. Aureoli, *Scriptum* I, d. 2, sect. 10, a. 4; d. 3, sect. 14, a. 1 (II, 544—550, 694—701).

⁴³ Ockham, *Com.* I, d. 2, q. 8. A—R.

⁴⁴ Ockham, *Com.* I, d. 2, q. 7. M—R. Cf. *supra*, pp. 145—147.

Chatton proposes another theory on the nature of the universal concept; it is a theory which, he feels, saves realism in knowledge.⁴⁵

Chatton identifies the universals and concepts in general with acts of cognition, that is, with intellections.⁴⁶ The concept or universal is a real accident of the soul, identical with the act of intellection; hence, it exists in the soul as a subject, it has *esse subiectivum*.⁴⁷ These intellections or cognitions conceive either one singular object and represent or signify it in an act of intellection — and then we speak of particular concepts, or they conceive many things imperfectly and equally represent or signify them accordingly in an indiscriminate manner — and then we speak of universal concepts.⁴⁸

The relation of concepts to the things signified by them is that of a natural sign to that which is naturally signified.⁴⁹ This means that their signification depends solely on the natural relation between intellection and the object conceived by this intellection; their signification is not instituted *ad placitum*. Ockham, on the contrary, gives no foundation in reality to universals: “. . . nisi forte per institutionem voluntariam . . . dico quod universale non est in re, nec realiter, nec subiective”.⁵⁰ Chatton refuses to consider universals as purely subjective products of the mind without a correspondence in reality. For Chatton, it would seem that the relation of concepts to things signified by them is that of an effect to its cause: the object, which becomes known and is conceived in an act of intellection, acts as a partial cause on the intellect, which is the other partial cause. The cognition is similar, therefore, both to the object and the intellect, to the latter by being immaterial and spiritual, to the former by being a similitude of it. In other words, the act of

⁴⁵ Cf. G. Gál, “Gualteri de Chatton et Guillelmi de Ockham Controversia . . .”, 191—212.

⁴⁶ *Text ed.* p. 93 “Unde non est imaginandum quod esse cognitum sit quoddam esse distinctum ab ipsa cognitione et ipsa re extra quae cognoscitur, sed quod ipsa res extra extrinseca denominatione denominatur cognita seu esse in anima per illam cognitionem.”

⁴⁷ Cf. *Ms.* Paris, 15886, fol. 135vb: “Ideo dicendum est aliter ad istum articulum quod praeter intellectionem et praeter rem extra cognitam per illam intellectionem nec est ibi ens fictum medium quod immediate terminat actum pro re extra, nec est aliquod esse rei distinctum ab exsistentia cognitionis et ab exsistentia reali rei extra, sed tantum est ipsa intellectio vel species vel habitus. Hoc enim sufficit a parte intellectus sed hoc quod verum sit dicere intellectum cognoscere hominem.”

⁴⁸ Cf. G. Gál, “Gualteri de Chatton et Guillelmi de Ockham Controversia . . .” 191—212.

⁴⁹ *Text ed.* pp. 93, 103—104.

⁵⁰ Ockham, *Com.* I, d. 2, q. 7. S, T. — ed. Lug. Ockham's full attack against the position that holds for a real foundation *a parte rei* for universals is found in his *Com.* I, d. 2, qq. 7—8.

cognition is a spiritual assimilation of the object known. Here, it would seem, we are face to face with an ultimate fact of cognitive psychology — thus, Chatton finds it impossible to specify this similarity any further. The important point, however, is that according to Chatton — and against Aureoli and Ockham — universals have *esse subiectivum*, they are psychic realities which, because of their natural similitude with their objects, naturally signify their significates.

The importance of Chatton's theory on the nature of universals is not only its testimony to a disagreement with Aureoli and Ockham but it proves that Chatton had a decided influence on Ockham himself, for it was this theory that Ockham finally adopted as his own. Philotheus Boehner has proved that at the beginning of his career Ockham assigned to universals only the being of thought-objects (*esse obiectivum*) and not the being of real things as qualities of the mind (*esse subiectivum*); this is the *fictum* theory and Boehner demonstrates that it was this theory which Ockham held in his *Reportatio* and in the first redaction of the first book of his *Commentary on the Sentences*. Boehner also shows however, that after a short period of hesitation (noticeable in his *Expositio in Perihermenias Aristotelis* and in his second redaction of the *Ordinatio*) Ockham finally decided in favor of the theory which identifies the universal with the act of cognition, that is, with intellections, and unequivocally rejected the *fictum* theory (as is evident in his *Summa Logicae*, *Quodlibeta* and in *Quaestiones super libros Physicorum*).⁵¹ Father Boehner calls the final theory of Ockham the '*intellectio* theory'.⁵² It is the same theory advanced by Chatton.

It is more than probable, then, that when Chatton wrote his *Commentary on the Sentences*, Ockham was still proposing the *fictum* theory, or was, at least, in the period of hesitation which Father Boehner has indicated.⁵³ But let us try to be more precise on dates. Boehner tells us that the *Reportatio* represents the earliest work of Ockham that has been handed down to us and, as regards the chronology of Ockham's works of interest to us here, estimates: Ockham's *Ordinatio* was finished before 1323; his *Quodlibeta* were certainly written after the *Commentary on the Sentences*, probably before 1324; his *Questiones super libros Physicorum* was written after the *Quodlibeta* which are frequently quoted in

⁵¹ B. Boehner, "The Relative Date of Ockham's Commentary on the Sentences", *Collected Articles*, 96—110.

⁵² B. Boehner, "The Realistic Conceptualism of William Ockham", *Collected Articles*, 156—174.

⁵³ Cf. *supra*, pp. 145—147.

it;⁵⁴ and Ockham's *Summa Logicae* was "completed probably in Avignon and after 1324, but before 1327".⁵⁵ Thus until, and perhaps including, the year 1323, William Ockham defended the *fictum* theory but from the year 1324 on he adopted the *intellectio* theory.

The above chronology corroborates the opinion of Léon Baudry, who designated the years 1322—1323 as the precise time when Chatton's *Commentary* represented by the Paris manuscript 15887 was written.⁵⁶ It would indicate also, we think, that Chatton's *Commentary* represented by Paris manuscript 15886 belongs to the same period. This militates against Baudry's contention that Chatton's *Commentary* represented by Paris manuscript was made in Avignon,⁵⁷ and lends substantial support to C. K. Brampton's view that both Paris manuscripts represent *Commentaries* which Chatton delivered in England between the years 1321—1323.⁵⁸

In the brilliant introduction to his book *Ockham. Philosophical Writings*, Philotheus Boehner, after remarking that Ockham and Aureoli seemed to have arrived at the *fictum* theory independently of one another, says: "but it appears that when Ockham became acquainted with Aureoli's *Commentary on the Sentences* he gradually gave up his *fictum* theory in favor of another. This other theory we shall call the 'intellection theory'."⁵⁹ It is our contention that it is, perhaps, more probable to propose that Ockham abandoned the *fictum* theory not because of a disillusion with Aureoli but because of the telling criticisms given it by Walter Chatton; nor does it seem improbable to suppose that Ockham finally modified his opinion due to the influence of his confrère at Oxford and adopted Chatton's opinion on the nature of universals as his own.⁶⁰

Summarizing, we may say, the reaction of Chatton to Aureoli and Ockham is this: well versed in their teachings, he met their criticisms of Scotus' doctrine on univocity point for point; he corrected them when he felt they had misunderstood Scotus; and he proposed his own theory

⁵⁴ P. Boehner, *Ockham. Philosophical Writings* (Nelson, 1957), lii—lvi. Cf. C. K. Brampton, "Chronological Gleanings from Martival Episcopal Register, Salisbury II, and Ms. London, British Museum, Cotton Charter XXX. 40", *AFH*, LVIII (1965), 369—393.

⁵⁵ P. Boehner, "The Relative Date . . .", 109—110.

⁵⁶ L. Baudry, "Gauthier de Chatton . . .", 353.

⁵⁷ L. Baudry, "Gauthier de Chatton . . .", 354—355.

⁵⁸ C. K. Brampton, "Gauthier de Chatton et la Provenance . . .", 203—205.

⁵⁹ P. Boehner, *Ockham* . . ., xxix.

⁶⁰ Cf. Guillelmi de Ockham, *Opera Theologica*, I, 26—31; G. Gál, *Gualteri de Chatton et Guillelmi de Ockham Controversia . . .*, 191—212.

on the nature of the universal concept in an attempt to save Scotistic realism from a dangerous conceptualism.

II. *Interpretation of Scotus:*

In many respects John Duns Scotus is the connecting link between what some historians, rightly or wrongly, call the golden age of scholasticism and the period of decline and decadence. Scotus' life and teachings bridged the thirteenth and fourteenth centuries; he built one of the most impressive systems of the Middle Ages; and, in an unprecedented manner, he united the philosophical and theological traditions of Oxford and Paris. Certainly, his approach and outlook were rooted in the philosophical movement of the thirteenth century, yet his work does reveal many of the characteristics of the era which follows him: keen logical analysis, the doctrine of intuitive and abstractive cognition, the primacy of the will. It goes without saying that Scotus awakened a great number of disciples who achieved the firm entrenchment of his doctrine in scholasticism for centuries to come. But, due to the fact that many of his disciples were at the same time, and in varying degrees, independent thinkers and because the very content and extent of Scotus' work is so vast and complicated, it has not always been easy to ascertain the original mind of the *Doctor Subtilis*.

The question of the univocity of being is a case in point: What did Scotus mean by the univocal concept of being? Did Scotus hold an analogical concept of being, or does his univocity rule out any analogical predication? What did Scotus precisely intend by 'being' when he said that it cannot be predicated *in quid* of its differences and passions? Such questions have been debated for almost seven hundred years.⁶¹ This is why the interpretation of Scotus which Chatton makes is both important and interesting. The following is a summary of that interpretation.

a) The univocal concept of being:

There is a unity of content in the univocal concept of being in this sense: granted that no aspect of a creature is identical to any aspect of God, still neither the creature nor God is nothing.⁶² There is, then, some minimal conceptual content that positively constitutes what is

⁶¹ Cf. C. L. Scircel, *The Univocity of the Concept of Being in the Philosophy of John Duns Scotus* (Washington, D. D., 1942); T. Barth, "De univocationis entis scotisticae intentione principali necnon valore critico", *Antonianum*, XXVIII (1953), 72—82.

⁶² *Text ed.* pp. 104—105, 121—122.

expressed negatively by the negation: that which is not nothing.⁶³ 'Being' has one *ratio*, one thought-content; hence, it is completely opposed to equivocation.⁶⁴ What this thought-content is cannot be explicated further by appealing to other positive contents because it is a *simpliciter simplex* concept.⁶⁵ Thus, according to Chatton, the univocal concept of being is eminently inclusive of all that exists, since everything is opposed to nothing; and, at the same time, it is a totally undetermined concept, since it can be predicated *in quid* of God and creatures; it is the concept with the least comprehension and the greatest extension.

For Chatton, the univocal concept of being is essentially abstract and at the same time real. It is abstract because it prescind from all the intrinsic modes of being.⁶⁶ It is real because, although it is an intellection that has for its object 'that which is opposed to nothing', still, this 'opposed to nothing', this common *ratio* called 'being' is really included in the object of every intellection and, therefore, 'being' is an aspect of the real.⁶⁷ Simply, then, the univocal concept of being is the one *ratio* namely, that which is opposed to nothing, which can be predicated *in quid* of both God and creatures with the same identical meaning.

b) Univocity and analogy:

In Chatton's interpretation of Scotus, the statement that being is predicated analogously does not involve a direct and explicit negation of the univocal concept of being or the univocal predication of being in the sense explained above. How can this be so? Chatton explains that one must distinguish between how the logician looks at reality and how the metaphysician regards it.⁶⁸ The logician knows nothing of analogy or analogical concepts as a mean between pure equivocation and univocation.⁶⁹ Analogy exists only for the metaphysician, namely, where the objects of comparison are not simply diverse but related in such a way that there is an essential order of dependence.⁷⁰ One must establish precisely, therefore, what one intends by speaking of the concept of being; one must be on guard in determining whether it is

⁶³ *Text ed.* p. 121.

⁶⁴ *Text ed.* pp. 101—105.

⁶⁵ J. J. O'Callaghan, "Walter of Chatton's . . .", 162—165.

⁶⁶ *Text ed.* pp. 97—98, 102—105.

⁶⁷ *Text ed.* pp. 113—114, 114.

⁶⁸ *Text ed.* pp. 116—117. Cf. H. Schwartz, "Plato, Aristotle, St. Thomas and Univocity", *New Scholasticism*, XXVII (1953), 373—385; J. Anderson, *Reflections . . .*, 62—76.

⁶⁹ *Text ed.* pp. 101—105, 119—120.

⁷⁰ *Text ed.* pp. 107—108, 121—122.

the logician or the metaphysician who speaks.⁷¹ 'Being' can be applied to realities in such a way that it signifies the *whole* reality. Taken in this way, it is a concept which includes not only a *ratio* which is common to all that exists but includes the intrinsic mode which is essentially and formally identical with the reality in question. Thus predicated, 'being' is analogical and it is the metaphysician who speaks. This does not imply, however, that one cannot mean by 'being' an abstraction from the proper modalities to form a common univocal concept nor does it deny that 'being' can be used to signify this common aspect of things. When by 'being' one intends solely the common aspect of things — its opposition to nothing, it is predicated univocally and it is the logician who speaks.

There is no contradiction, then, in admitting that 'being' can be predicated analogously and univocally because it all depends upon whether 'being' signifies the *natura completa* or whether it signifies that minimal common content 'opposed to nothing'. It depends upon whether 'being' signifies things properly or commonly: in analogous predication, 'being' signifies the intrinsic modes as well as the common *ratio*; in univocal predication, 'being' signifies things only imperfectly, since the mind abstracts from the proper intrinsic modes and concentrates merely on the common *ratio*. According to Chatton, therefore, Scotus has not abandoned analogy in his insistence on the univocity of being.⁷² Chatton implies that, although Scotus did not write a special treatise on analogy, he presupposed it.

c) 'Being' cannot be predicated *in quid* of its passions and differences:

Chatton employs the same arguments as Scotus not only to prove that there is a univocal concept of being⁷³ but also to prove that 'being' cannot be predicated *in quid* of its differences and passions.⁷⁴ Chatton is quite honest in his whole approach to this question and faithfully reports the arguments of the critics of Scotus on this teaching.⁷⁵ The criticism can be reduced to this: to claim that 'being' is not predicated *in quid* of its differences and passions is to admit that there is something

⁷¹ *Text ed.* pp. 121—122. For some interesting reflections on the relationship of analogy and univocity see E. Platzek, "De conceptu analogiae respectu univocationis", *Antonianum*, XXIII (1948), 71—132; and M. Slatery, "The Three-fold Division of Analogy", *Philosophical Studies*, XV (1966), 131—154.

⁷² *Text ed.* pp. 116—117, 126. Chatton's explanation is substantially the same as A. Wolter, *The Transcendentals* . . . , 45—48.

⁷³ *Text ed.* pp. 97—98, 104—105.

⁷⁴ *Text ed.* p. 120.

⁷⁵ *Text ed.* pp. 117—118.

outside of being, it is to make 'being' a genus. Chatton very frankly admits that this is a well founded objection and one with which he agrees.⁷⁶ However, he gives agreement only if by the statement, 'being is predicated *in quid* of its differences and passions', one means by 'being' that concept which is simply opposed to nothing. In other words, if one is speaking about 'being' as a logician, then one must admit that 'being' is predicated *in quid* of everything, even its differences and passions. It is in this sense that the critics of Scotus on this score are correct. According to Chatton they are correct but, at the same time, they have misunderstood Scotus. Scotus does not deny that the concept of being which merely signifies 'that which is opposed to nothing' is predicated *in quid* of its differences and passions.⁷⁷ Chatton claims, therefore, that when Scotus defends the teaching that 'being' is not predicated in quid of its differences and passions he is speaking as a metaphysician and has in mind the concept of 'being' which is the subject of metaphysics.

The interpretation which Chatton makes of Duns Scotus is straightforward and clear. Yet, reflecting on Chatton's thought concerning: the meaning of the univocal concept of being; the implication that Scotus does not deny the analogical predication of being; his insistence that Scotus, when teaching that the concept of being is not predicated *in quid* of its ultimate differences and passions, does not have in mind that concept which is simply opposed to nothing, do we not wonder whether Chatton's teaching is: either a somewhat facile solution demanding much more detailed corroboration from the works of the Subtle Doctor; or the result of an independent-minded Scotist reacting to Aureoli and Ockham?

In any event, Chatton's teaching on the univocity of being opens up vast and interesting areas of study, for example, the relationship of logic and metaphysics, the ontological foundation for analogy, the closeness of his doctrine on analogy to that of St. Thomas, his theory of knowledge and his proof for the existence of God, the influence he exerted on Ockham and Ockham's influence on him. Certainly, much more work needs to be done on the thought of Walter Chatton.

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⁷⁶ *Text ed.* pp. 121—122.

⁷⁷ *Text ed.* pp. 121—122.

HENRICUS DE HARCLAY: QUAESTIO DE SIGNIFICATO CONCEPTUS UNIVERSALIS

(Fons Doctrinae Guillelmi de Ockham)

INTRODUCTIO

Henricus de Harclay, sacerdos e clero saeculari, Cancellarius quondam Universitatis Oxoniensis, studiosis rerum mediaevalium fere penitus ignotus remansit usque ad annum 1924, quo F. Pelster in commentatione sua magistrali¹ eius vitam, actuositatem atque scripta omnibus revelavit. Post F. Pelster alii quoque viri studiosi scriptis Cancellarii studuerunt eaque modo uno modo alio sub aspectu illustraverunt. Iuvat hic res maioris momenti, quae de vita, operibus et doctrina nostri auctoris in multis locis dispersae leguntur, colligere et paucis verbis praemittere.

I. *Vita, scripta et doctrina Henrici de Harclay*

a) Quantum ad vitam Cancellarii spectat, haec sunt memoranda:² natus est circa 1270, e familia equestri; anno 1297, iam Magister Artium, sacerdos ordinatus est. Studiis theologicis in Universitate Parisiensi operam dedit, eo tempore quo Duns Scotus ibi docebat, et gradum baccalaureatus in theologia iam ante annum 1308 obtinuit. Ad gradum magisterii anno 1312 elevatus est et eodem anno Cancellarius Universitatis Oxoniensis electus et confirmatus est. Anno tandem 1317, die 25 Iunii, dum Avenione, in Curia Pontificia, causam Universitatis defenderet, diem supremum obiit.

b) E scriptis authenticis Henrici de Harclay, studio ac labore F. Pelster,³ hucusque innotuerunt: *Quaestiones ordinariae*, seu *disputatae*. Ex his 20 asservantur in codice Vat. Burgh. 171, ff. 1r—32v, decem vero in codice F. 3 Bibliothecae Ecclesiae Cathedralis Vigorniensis, ff. 181v—215v. Quatuor harum respondent quaestionibus 5—8 codicis Burghesi-

¹ F. Pelster, "Heinrich von Harclay, Kanzler von Oxford und seine Quästionen", *Miscellanea Francesco Ehrle*, I (Studi e Testi 37), Roma 1924, 307—356.

² Praeter articulum F. Pelster, iam citatum, videsis etiam A. B. Emden, *A Biographical Register of the University of Oxford to A. D. 1500*, II, Oxford 1958, 874ss.; C. Balić, *Lexikon für Theologie und Kirche*, V, Freiburg 1960, 190.

³ F. Pelster, "Heinrich von Harclay" cit.

ani.⁴ Postea V. Doucet⁵ invenit quinque quaestiones, a Henrico disputatas, Assisii, in Bibl. Commun. cod. 172, ff. 125r—131v et 149r—153v, e quibus quatuor congruunt quaestionibus 8—9 et 11—12 codicis Burghesiani. Iuxta F. Pelster⁶ Cancellario tribuenda est etiam quaestio quae in eodem codice Assisiensi, ff. 133r—136r continetur. Iterum F. Pelster⁷ detexit nonnullas quaestiunculas theologicas, Henrico adscriptas, Trevis (Troyes), Bibl. Civit., cod. 501, ff. 35v—37r, 80r—83r; probabiliter ipse scripsit etiam quaestiones ibidem, ff. 75r—76v, contentas. His addenda est quaestio magni momenti de duratione mundi, quae reperta est a J. Murdoch⁸ in duobus codicibus manuscriptis, nempe Florentiae, Bibl. Nat., cod. II. II. 281, ff. 94r—101v; et Tortosae, Bibl. Cathedr., cod. 88, ff. 82r—94v.

Cognitio nostra de scriptis Cancellarii magnopere aucta est cum Commissio operibus Ioannis Duns Scoti edendis praeposita annuntiavit inventionem commentarii in I et II librum *Sententiarum*.⁹ Commentarius in I *Sententiarum* exstat in codice Vat. lat. 13687, ff. 13v—97v et in codice b. 2, ff. 1r—84r Bibliothecae seminarii dioecesanii Casali Montisferrati. De huius ultimi codicis exsistentia F. Stegmüller dictam Commissionem certiore fecit.¹⁰ Commentarius vero in II *Sententiarum* habetur in codice Vat. Burgh. 346, ff. 1r—10v, 21r—93v;¹¹ nonnullae quaestiones huius libri occurrunt etiam in codice Vat. lat. 869, ff. 108v—114v.

c) Doctrina Cancellarii, editione operum adhuc desiderata, nonnisi per partes nota est. C. Balić, qui commentarios Henrici in libros I et II *Sententiarum* attentiori examini subiecit, sibi persuasit "Henricum fuisse

⁴ Cf. etiam A. Maier, *Codices Burghesiani Bibliothecae Vaticanae (Studi e Testi 170)*, Città del Vaticano 1952, 219s.

⁵ V. Doucet, "Descriptio codicis 172 Bibliothecae Communalis Assisensis", *Archivum Franciscanum Historicum*, 25 (1932), 257—274, 502—524.

⁶ F. Pelster, "Theologisch und philosophisch bedeutsame Quaestiones des W. von Macclesfield O.P., H. von Harclay and anonymen Autoren der englischen Hochscholastik in Cod. 501 Troyes", *Scholastik* 28 (1953), 222—240; praesertim 229, nota 26.

⁷ F. Pelster, ibidem, pp. 228—240.

⁸ J. Murdoch and E. Synan, "Two Questions on the continuum: Walter Chatton(?), O.F.M. and Adam Wodeham, O.F.M.", *Franciscan Studies*, 26 (1966), 212—288.

⁹ *Adnotationes ad nonnullas quaestiones circa Ordinationem I. Duns Scoti (Iohannis Duns Scoti Opera Omnia, IV, Civitas Vaticana 1956)*, 7—15; videsis etiam C. Balić, "Henricus de Harclay et Ioannes Duns Scotus", *Mélanges offerts à Étienne Gilson*, Toronto-Paris 1959, 93—121, 701s.

¹⁰ Cf. C. Balić, ibidem, p. 95, nota 10.

¹¹ Auctoritatem Harclayanam commentarii in II *Sententiarum* A. Maier semel ac iterum in dubium revocavit: "Zu einigen Sentenzenkommentaren des 14. Jahrhunderts" et "Der anonyme Sententiarus des Borgh. 346", *Archivum Franciscanum Historicum*, 51 (1958), 369—409; 53 (1960), 3—29.

unum ex primis, si non primum, commentatoribus seu expositoribus doctrinae scotisticae".¹² Idem clarus auctor indicat puncta doctrinalia in quibus Scotus et Cancellarius vel idem sentiunt vel ab invicem non multum differunt.¹³ Exempli gratia theologia pro ambobus est scientia sacra, et quidem potius practica quam speculativa. Consensio in quaestione de univocitate entis est fere litteralis. Iuxta Henricum, licet essentia et relatio sint idem realiter, 'distinguuntur tamen formaliter et quidditative, et hoc absque omni intellectu considerante, immo ex natura rei'.¹⁴ Ambo eandem rationem praedestinationis assignant, gratuitam scilicet misericordiam Dei. Liceat his addere ex nostro: in quaestione utrum Deus sit in genere, Harclay in suo commentario in *Sententias* serviliter sequitur Doctorem Subtilem, in quaestione tamen infra edenda, nn. 119—127, multum differt ab eo.

E secundo libro, (cuius tamen authenticitatem propter argumenta A. Maier¹⁵ adhuc sub lite esse consideramus), C. Balić¹⁶ subnotat concordiam inter Subtilem et Cancellarium in quaestionibus de causalitate totali voluntatis; de observatione legis divinae absque gratiae auxilio; de peccato ut poena peccati; et tandem de gratia et peccato angelorum.

Ex inquisitionibus C. Balić¹⁷ ulterius constat quod Harclay, tempore quo commentarium suum in *Sententias* redigebat (ante 1308) *Ordinationem* Scoti nondum cognoscebat. Loci, quos e scriptis Doctoris Subtilis reportat, quantum ad librum I consonant cum textu *Reportationis Cantabrigiensis*, Tuderti, Bibl. Commun. cod. 12 asservatae; quantum vero ad librum II proxime accedunt textui *Reportationis* quae exstat Patavii, Bibl. Anton., cod. 175.

Alii auctores, ut iam laudatus F. Pelster,¹⁸ qui non commentario in *Sententias* sed potius *Quaestionibus ordinariis* studuerunt, non inveniunt inter Scotum et Henricum tantam concordiam, sed potius inclinantur ad assignandum Cancellario locum medium inter Doctorem Subtilem et Guillelmum de Ockham. Verbi gratia cum Scoto sentit in quaestionibus de primo objecto intellectus (ens in quantum ens) et de univocitate entis, sed ei aperte contradicit in quaestione de universalibus. Praeterea, plures propugnat opiniones quae vel multum similes sunt illis quas paucis

¹² C. Balić, "Henricus de Harclay" cit., p. 102.

¹³ C. Balić, ibidem, pp. 102—107.

¹⁴ Scotus in *Ordinatione* (quam Harclay nondum noverat), I, d. 2, p. 2, qq. 1—4, n. 404 dicit: "Melius est uti ista negativa 'hoc non est formaliter idem', quam 'hoc est sic et sic distinctum' (ed. Vaticana, II, 357).

¹⁵ Videsis supra, notam 11.

¹⁶ C. Balić, "Henricus de Harclay" cit., pp. 107—114.

¹⁷ C. Balić, ibidem, pp. 114s.

¹⁸ F. Pelster, "Heinrich von Harclay" cit., pp. 336—345.

post annis Venerabilis Inceptor defensurus erat vel eis viam parant. Exempli gratia Harclay tenet: universalia esse figmenta, quae non habent esse subiectivum sed tantum obiectivum in anima; relationes non differre a fundamento; quantitatem esse eandem cum extensione, et hanc non esse nisi modum substantiae; existentiam rerum non requiri ad cognitionem earum, cum Deus possit facere sine causa secunda quidquid potest cum ea.

J. Kraus, qui studio quaestionis de universali, infra edendae, plus quam centum paginas dedicavit¹⁹, iam per titulum commentationis suae exprimit conclusionem ad quam pervenit: doctrina Cancellarii de universalibus positionem mediam occupat inter realismum scotisticum et nominalismum ockhamisticum. Universale a Henrico de Harclay propositum, iuxta J. Kraus,²⁰ est universale vere metaphysicum; universale econtra ab Ockham excogitata nunquam verum universale dici potest. Qua de causa Harclay nonnisi in sensu valde limitato 'praecursor' Venerabilis Inceptoris dici potest.

Qui textum a nobis edendum attente perlegerit, proprio Marte diiudicare poterit utrum conclusio clari auctoris veritati conformis sit necne; et simul etiam videbit, utrum verum vel falsum sit quod J. Kraus pro certo habet,²¹ scilicet quod Henricus de Harclay nucleum doctrinae scotisticae de universalibus prorsus recte intellexit et exposuit (*durchaus richtig erfaßt und dargestellt hat*).

A. Maurer²² pressius examinavit quaestionem Henrici de univocitate entis. Ex hoc examine apparuit positionem Cancellarii a Scoto fuisse inspiratam: admittit enim ens esse primum et adaequatum obiectum intellectus nostri et conceptum entis esse univocum Deo et creaturis. Nihilominus, ut claro auctori videtur, concordantia plus est in verbis quam in re, eo quod notabilis differentia est inter philosophiam horum auctorum, cum Henricus doctrinam Scoti de natura communi prorsus repudiet. Cancellarius ad conceptualismum inclinatur et in hoc positionem Guillelmi de Ockham et philosophiae Anglicae posterioris praenuntiat.

¹⁹ J. Kraus, "Die Universalienlehre des Oxforder Kanzlers Heinrich von Harclay und ihre Mittelstellung zwischen skotistischem Realismus und ockhamistischem Nominalismus", *Divus Thomas* (Friburgiae), 10 (1932), 36—58, 475—508; II (1933), 76—96, 288—314.

²⁰ J. Kraus, *ibidem*, II (1933), 299.

²¹ J. Kraus, *ibidem*, 10 (1932), 505.

²² A. Maurer, "Henry of Harclay's Question on the Univocity of Being", *Mediaeval Studies*, 16 (1954), 1—18.

Idem A. Maurer²³ edidit duas quaestiones Henrici de ideis divinis, quarum una asservatur in codice Burghesiano altera vero in codice Vigorniensis. Prima est brevior et inspirationem scotisticam prae se fert, tenens ideas divinas non esse "nisi ipsamet obiecta secundum esse cognitum"; altera est longior, maturior et sine dubio posterior, in qua, Scoti opinione posthabita, auctor opinatur ideas divinas esse ipsam essentiam divinam, intellectam a Deo ut imitabilem a creaturis.

Quantum ad philosophiam naturalem spectat,²⁴ Cancellarius non paucorum auctorum, tum aequalium tum modernorum, animos ad se convertit opinione quam de compositione continui (spatium, motus, tempus) professus est. Tenuit enim, contra expressam auctoritatem Aristotelis, continuum componi ex indivisibilibus (atomismus).

Frustula sunt ista, hinc atque illinc collecta, quae licet suspicari nos faciant de momento nostri auctoris, eius tamen positiones philosophico-theologicas in plenam lucem haud ponunt. Ideoque optandum est ut editio critica operum eius quam primum paretur.²⁵ Tunc solum apparebit differentia inter Henricum baccalaureum, *Sententias* legentem, et Cancellarium, magistrum, quaestiones ordinarie disputantem. Et sine dubio in conspectu ponetur via qua cogitatio scholastica in primis decenniis saeculi decimi quarti a Duns Scoto ad Guillelmum de Ockham pervenit.

2. Quaestio de fundamento conceptuum universalium

Studium problematis de fundamento et natura conceptuum universalium, nunquam penitus neglectum, initio saeculi decimi quarti miro modo excitatum est. Occasio huiusmodi reviviscentiae quaerenda est in doctrina Scoti de universalibus, quae intime connexa est cum intricato problemate de principio individuationis, quod ulterius involvit secum doctrinam de natura communi et de distinctione formali. Haec novitatem

²³ A. Maurer, "Henry of Harclay's Questions on the Divine Ideas", *Mediaeval Studies*, 23 (1961), 163—193.

²⁴ De hoc problemate cf. A. Maier, *Die Vorläufer Galileis im 14. Jahrhundert*, Roma 1966, 161s., 167ss., et articulos supra, nota 11 citatos; J. Murdoch and E. Synan, "Two Questions" cit.

²⁵ Editionem criticam *Quaestionum ordinariorum* Henrici de Harclay iam bonae memoriae F. Pelster promisit, "Theologisch . . . Quästionen" cit., 229. Quantum sciamus, cl. auctor non edidit nisi unam quaestionem Henrici, de secundo adventu Christi: "Die Quaestio Heinrichs von Harclay über die zweite Ankunft Christi und die Erwartung des baldigen Weltendes zu Anfang des XIV Jahrhunderts", *Archivio Italiano per la Storia della Pietà*, I, Romae 1951, 25—82. In hac quaestione Cancellarius sobrie et firmiter repudiat ineptias somniatorum. In hoc articulo, p. 31, F. Pelster dicit quaestionem de natura temporis, asservatam Patavii, Bibl. Anton., cod. 291, probabiliter Henrico esse attribuendam.

quamdam sapiebant, quam alii quidem vehementer impugnabant alii vero strenue defendebant. Et doctrina Doctoris Subtilis de his rebus talis erat quam nonnunquam etiam fautores minus recte intelligebant, oppositores vero facili negotio in malum sensum detorquebant.

Ut quaestio infra edenda, paucis annis post mortem Scoti disputata, testatur, Henricus de Harclay unus erat ex primis qui constructionem scoticam funditus demoliri conabantur. Ipse enim in hac sua quaestione omnes rationes quas excogitare potuerat et omnes auctoritates quas invenire valuerat contra positionem Scoti in aciem ordinavit; et insimul occasionem nactus est ut fuse exponeret quid sibi de fundamento et natura conceptus universalis videretur.

Momentum huius quaestionis, quod iam F. Pelster et J. Kraus plene perspexerunt,²⁶ est triplex. Est enim omnimoda impugnatio, forsitan prima, doctrinae Scoti; est etiam plena expositio opinionis Henrici de Harclay; est, tertio, anticipatio quaedam et fons positionis quam Venerabilis Inceptor, tempore quo *Sententias* legeret, velut aliis probabiliorem amplexatus est.²⁷

De his rebus auctores modo memorati iam satis superque dixerunt. Non est igitur necesse hanc quaestionem iterum exponere, sed utile est eam, integram, publici iuris facere, quia, nostro iudicio, nulla interpretatio locum tenere potest textus originalis. Sinamus ut ipsemet auctor interpretetur suam doctrinam. Henricus, sane, inops sermonis non est. Praeterea, opportunum visum est nobis, *Opera Philosophica* et *Theologica* Guillelmi de Ockham edentibus, scripta nondum edita quibus iste in operibus suis conscribendis usus est, quantum fieri potest, evulgare.²⁸ Parvae enim utilitatis est lectorem ad aliquod scriptum remittere quod nonnisi in uno aliove codice, in quadam orbis terrarum parte, inveniri potest; nec possumus in apparatu critico textus longiores reportare, cum lectiones variantes notaeque iam satis loci occupent.

3. *Puncta capitalia doctrinae Scoti a Cancellario impugnata*

Cum pars notabilis huius quaestionis contra doctrinam Duns Scoti dirigatur, liceat hic in mentem revocare tria puncta positionis scotisticae.

²⁶ F. Pelster, "Heinrich von Harclay" cit.; J. Kraus, "Die Universalienlehre" cit.

²⁷ Cf. Guillelmus de Ockham, *Scriptum in I Sententiarum (Ordinatio)*, d. 2, q. 8 (*Opera Theologica* II, ed. S. Brown adlaborante G. Gál, St. Bonaventure, N. Y. 1970, 271—289); G. Gál, "Gualteri de Chatton et Guillelmi de Ockham controversia de natura conceptus universalis", *Franciscan Studies*, 27 (1967), 191—212; praesertim pp. 193s.

²⁸ Quaestiones ineditas Ioannis de Reading, Richardi de Conington, Roberti Cowton et Guillelmi de Alnwick, quas Ockham in *Prologo* sui *Scripti*

a) Iuxta Doctorem Subtilem nihil existit actu in rerum natura nisi singulare et individuum. Natura enim communis, facta seu posita in esse "nunquam²⁹ separatur ab alia perfectione, unitive secum contenta, vel ab illo gradu in quo accipitur differentia individualis. Cum etiam nunquam fiat in rerum natura nisi sub determinato gradu, nunquam est ab illo separabilis, quia ille gradus cum quo ponitur est secum unitive contentus".

b) Natura communis, de qua Scotus loquitur, est natura ut consideratur a metaphysico, ultima abstractione, et quae exprimitur per definitionem. Huic naturae, sic consideratae, competit "unitas in re realis, minor unitate numerali sive unitate propria singularis".³⁰ Natura igitur ex se et essentialiter non est una numero, sed tantum denominative, "quia in hoc uno numero".³¹ Huiusmodi autem unitas non excludit multiplicitem. Porro, sicut ista natura communis non est de se particularis, ita non est de se universalis, nam "universale in actu non est nisi in intellectu, quia non est actu universale nisi sit unum in multis et de multis".³²

c) Distinctio sive non-identitas formalis, quae ponitur etiam inter naturam communem et proprietatem individualement, iuxta Scotum nequaquam est distinctio realis, qualis habet locum inter rem et rem, sed est praecise 'formalis', qualis invenitur inter formalitates, realitates seu quidditates unitive contentas in una et eadem re.³³ Si enim hae formalitates definirentur, definitio unius non caderet in definitionem alterius. Et sicut unitas naturae communis 'est in re extra' non propter aliam rationem nisi quia Sortes et Plato eiusdem essent naturae etiamsi nullus intellectus eos consideraret, ita distinctio formalis ideo solum est 'a parte rei' quia non est formata sed potius inventa ab intellectu.

Quicumque vel unum ex his capitibus philosophiae scotisticae minus recte intelligit vel in peiorem sensum detorquet, non contra genuinam mentem Doctoris Subtilis arguit, sed contra propriae mentis figmenta dimicat. Et tamen in quaestione Henrici de universali non unum horum

seu *Ordinationis* citaverat vel crisi submiserat, iam publici iuris fecit S. Brown, "Sources of Ockham's Prologue to the Sentences", *Franciscan Studies*, 26 (1966), 36—65; 27 (1967), 39—107.

²⁹ Scotus, *Quaestiones in Aristot. Metaph.*, VII, q. 13, n. 19 (ed. Wadding, IV, 706).

³⁰ Scotus, *Opus Oxoniense*, II, d. 3, q. 1, n. 7 (ed. Wadding, VI, 357).

³¹ Scotus, *Reportatio Paris.*, II, d. 12, q. 6, n. 13 (ed. Wadding, XI, 329).

³² Scotus, *ibidem*, n. 12, p. 328.

³³ Scotus, *Ordinatio*, I, d. 2, qq. 1—4, nn. 400—403 (ed. Vaticana, II, 355ss.).

sed omnia tria vel penitus ignorantur vel in ardore disputationis oblivioni dantur.

Quid causae est cur Cancellarius, qui, ut supra vidimus, scripta Scoti plus quam mediocriter noverat, eadem in hac quaestione non mediocriter deformaverit? Forsitan quaestio ista, ut ad nos pervenit, resportatio sit disputationis de facto habitae in qua plures intervenerunt, quorum unus partem Scoti et realistarum sine assensu sustinebat, alter ei respondebat, Harclay vero, ut magister, solummodo determinabat seu quid sibi de quaestione ipsa videretur exponebat.

4. Conspectus quaestionis

Quaestionem istam, satis longam atque intricatam, ut facilius perspicere possit titulis subalternis instruximus et in paragraphos divisimus. Numerus paragraphorum ad 128 ascendit. Huiusmodi, nimirum, divisio arbitraria est: quidam enim paragraphi ulterius dividi possent, alii vero in unum comprehendi.

Quaestio in uno solo codice Vat. Burghes. 171, ff. 7vb—12rb asservatur.³⁴ Amanuensis non paucos commisit errores, plerumque per omissionem, quandoque per ineptam lectionem, raro vero per verborum non pertinentium additionem. Nihilominus textus fere ubique facilius intelligi potest. Ea quae, nostro iudicio, incuria amanuensis omissa sunt inter uncas <. . .> supplevimus, ea vero quae perperam scripsit ad imam paginam relegavimus, codice per B significato.

En conspectus quaestionis:

Argumenta principalia (nn. 1—2).

Argumentum in oppositum (n. 3).

Opinio Scoti (nn. 4—15).

Alia argumenta pro parte affirmativa (nn. 16—24).

Auctoritates pro parte affirmativa (nn. 25—38).

Rationes contra partem affirmativam (nn. 39—53).

Auctoritates contra partem affirmativam (nn. 54—66).

Responsio auctoris ad quaestionem (nn. 67—69).

Responsio ad rationes partis affirmativae (nn. 70—79).

Dubia circa solutionem tertii argumenti (nn. 80—85).

Responsio ad reliqua argumenta opinionis affirmativae (nn. 86—100).

De universali ut figmento (nn. 101—103).

³⁴ Gratias dicimus A. Maurer, qui exemplar luce impressum horum foliorum humaniter nobis commodavit.

- Responsio ad ultima quatuor argumenta (nn. 104—107).
 Solutio auctoritatum pro parte affirmativa (nn. 108—117).
 Dictum Alexandri Nequam de generibus et speciebus (n. 118).
 Quaestiuncula: utrum Deus sit in genere (nn. 119—126).
 Responsio ad quaestiunculam (n. 127).
 Nova auctoritas contra ponentes universale in re (n. 128).

II

*Utrum universale significet aliquam rem extra animam,
 aliam a singulari vel supposito*

⟨Argumenta principalia⟩

1. Quod sic. Probatio: illud quod definitur est res extra animam, quia definitio indicat quidditatem. Sed quod definitur non est res singularis. Probat enim Aristoteles, VII *Metaphysicae*,¹ quod singularium non est definitio Ergo oportet quod sit res alia a singulari, quae sit communis et indifferens ex natura sui magis quam singularis.

2. Praeterea, aliquis potest esse certus de re extra animam per conceptum communem, manifestum est; sed per illum non est certus de aliqua singulari; ergo aliqua res est quae non est singularis.

⟨Argumentum in oppositum⟩

3. Oppositum dicit Commentator, X *Metaphysicae*, commento 6,² sicut allegabitur.³

⟨Opinio Scoti⟩

4. Ad quaestionem. Hic sunt opiniones. Una dicit affirmativam, et habet pro se quasi infinita argumenta. Arguit ergo pro ista opinione quidam Doctor,⁴ probando quod in re sit aliqua communitas et indifferentia praeter operationem intellectus. Primo sic:⁵ secundum Philo-

¹ Aristot., *Metaph.*, VII, c. 15 t. 53 (1039b 20—1040a 10); Harclay citat libros *Metaphysicae* iuxta divisionem antiquam, secundum quam liber I α liber II numerabatur, sicut et in editione Iuntina, VIII, Venetiis 1552.

² Averroes, *In Aristot. Metaph.*, X, t. 6 (ed. Iuntina, Venetiis 1552, VIII, f. 120rb).

³ Infra, in n. (= numero seu paragrapho) 65.

⁴ Ioannes Duns Scotus, *Opus Oxoniense*, II, d. 3, q. 1 (ed. Wadding, VI, 334—361), ubi quaeritur: "Utrum materialis substantia ex se sive ex natura sua sit individua vel singularis".

⁵ Scotus, loco cit., n. 3 (ed. Wadding, VI, 335).

sophum, in omni genere est unum primum, quod est metrum et mensura aliorum in illo genere, X *Metaphysicae*.⁶ Sed unitas illa mensurae et mensurati est unitas realis extra animam. Probatio: nam Aristoteles dicit quod metrum est cognatum et unigeneum rei mensuratae.⁷ Sed unum unitate rationis tantum non est unigeneum cum illo cum quo est sic unum. Ergo etc. Illa unitas non est numeralis, (idem enim numero non mensurat se ipsum), ergo minor unitas quam unitas numeralis, et tamen realis.

5. Confirmatur: condicio mensurae, in quantum est mensura entis realis, non potest esse ens rationis. Illud probatur statim, quia condicio mensurae, in quantum mensura, est condicio perfectionis; sed ens rationis imperfectius est ente reali; ergo etc. Sed unitas est condicio mensurae, secundum Philosophum,⁸ in omni genere; ergo non est unitas rationis tantum.

6. Praeterea, unitas, secundum quam fit comparatio realis, est unitas realis; sed unitas specifica est huiusmodi, sicut habetur VII *Physicorum*,⁹ ergo est unitas realis. Probatio:¹⁰ si enim ad comparationem faciendam sufficeret unitas rationis tantum, ita posset esse comparatio secundum genus sicut secundum speciem. Consequens falsum <et> contra Aristotelem, VII *Physicorum*.¹¹ Probatio consequentiae: nam in rei veritate in genere est unitas rationis tanta sicut in specie, nam conceptus in mente vel intentio in anima generis est tam una sicut intentio speciei; ergo secundum genus esset comparatio sicut secundum speciem.

7. Tertio sic:¹² hic est praedicatio in quid superioris de inferiori 'Sortes est homo' vel 'homo est animal'. Tunc quaero, utrum 'homo' significet eandem rem quod Sortes vel aliam; si eandem omnino, tunc est tantum praedicatio eiusdem de se, et nunquam praedicatio superioris de inferiori in quid. — Si dicat quod illud quod praedicatur non significat aliquam rem in quantum est superius, sed mentis conceptum

⁶ Aristot., *Metaph.*, X, cc. 1—2, tt. 1—8 (1052a 15—1054a 19).

⁷ Aristot., *Metaph.*, X, c. 1, t. 4: "Semper autem cognatum est metrum" (versio G. de Moerbeke); "Et mensura semper est unigena" (versio arabico-latina), 1053a 24—25.

⁸ Aristot., *Metaph.*, X, c. 1, t. 2 (1052b 18).

⁹ Aristot., *Physica*, VII, c. 4, t. 29 (249a 2—5).

¹⁰ Probatio] nam *add.* B — Cf. Scotus, *Opus Oxoniense*, II, d. 3, q. 1, n. 3 (ed. Wadding, VI, 336).

¹¹ Ubi supra, nota 9.

¹² Hoc argumentum apud Scotum non legitur. Forsitan habetur in reportatione qua Henricus usus est.

tantum, contra: impossibile <est> quod ens rationis praedicetur in quid de ente reali.

8. Quarto sic:¹³ similitudo in qualitate super aliquam unitatem fundatur, nam Aristoteles dicit V *Metaphysicae*, capitulo *De <ad> aliquid*,¹⁴ quod "similia sunt quorum qualitas est una". Sed illa unitas non est numeralis, nam idem non est simile sibi. Ergo oportet quod sit minor unitas quam unitas numeralis; Et est unitas realis, non rationis tantum, nam tunc album et nigrum possent esse similia, quia 'unum rationis' est commune utrique. — Item, quia similitudo non dependet ab anima nec a ratione vel ab intellectu, ergo est unitas realis.

9. Quinto sic:¹⁵ unius actus sentiendi, puta visus, est unum obiectum primum, et reale obiectum. Ista propositio probatur quantum ad utramque partem. Nam, primo, universaliter omnis potentia¹⁶ cognoscitiva habet unum obiectum adaequatum, ergo et potentia cognoscitiva visiva habet similiter. Sed secundum, <scilicet> quod illud obiectum sit reale extra animam, probatur: nam sensus non cognoscit nisi rem extra animam, certum est; ergo propositio plana.

10. Ulterius: sed unitas obiecti sensus non potest esse unum singulare; ergo unum universale vel commune; ergo commune est in re. Probatio minoris, quod obiectum sensus vel visus non est singulare: illud probatur multipliciter. Primo,¹⁷ quia nullum absolutum cognoscitur a potentia cognoscitiva nisi virtute primi obiecti: <vel> quia continetur sub primo obiecto, vel quia illud primum obiectum continet virtualiter alia obiecta secundaria. Sed nullum unum singulare obiectum visus est commune communitate praedicationis obiectis aliis visus. Non <enim> continet unum obiectum singulare in virtute repraesentativa¹⁸ aliud obiectum, sicut una albedo continet aliam. Ergo nullum singulare potest esse obiectum visus.

11. Item, ad idem¹⁹: quod singulare non est obiectum sensus, probatur sic: quia illud quod non sentitur nec potest cognosci a sensu, non est obiectum sensus. Sed sensus visus non cognoscit singulare nec potest cognoscere. Ergo etc. Probatio minoris: nam secundum Philosophum,

¹³ 'Tertio' apud Scotum, loco cit., n. 4 (ed. Wadding, VI, 336).

¹⁴ Aristot., *Metaph.*, V, c. 15, t. 20 (1021a 11—12).

¹⁵ Scotus, loco cit., n. 4 (ed. Wadding, VI, 336).

¹⁶ potentia] propositio B

¹⁷ Cf. Scotus, *Ordinatio*, Prol., p. 1, q. unica, n. 91 (ed. Vaticana, I, 55).
repraesentativa] reprehensiva B

¹⁸ Scotus, *Opus Oxoniense*, II, d. 3, q. 1, n. 4 (ed. Wadding, VI, 336); auctoritas Aristotelis apud Scotum non legitur.

II *De anima*,²⁰ ad eundem sensum pertinet dignoscere unum contrarium ab alio ad quem pertinet cognoscere unum illorum. Sed idem sensus cognoscit tenebram et distinguit eam a luce qui sensus natus est cognoscere lucem. Sed sensus visus non potest distinguere unum singulare ab alio singulari. Et hoc probatur multipliciter. Primo sic: nam tunc visus posset distinguere inter radios solares quos videt, ut dicat quod sunt duo. Quod non est verum: aestimat enim visus quod idem sit radius in mane et meridie, cum tamen non sit idem in rei veritate sed alius et alius numero. Ergo visus non discernit unum singulare ab alio singulari, ergo non cognoscit singulare.

12. Confirmatur totum istud. Aristoteles dicit II *De anima*:²¹ Visus, et universaliter sensus, non decipitur circa proprium obiectum. Ergo si singulare esset obiectum proprium visus, non deciperetur visus circa ipsum. Et confirmatur secundo, quia si Deus faceret miraculose (sicut potuit et fecit quandoque) corpora duo simul, sicut corpus Christi et lignum ianuae,²² et utrumque fuisset album, visus non iudicaret illa esse duo alba sed unum album. Ergo non cognoscit singulare; ergo primum obiectum sensus visus erit unum universale, et est ens reale; ergo etc.

13. Sexto arguitur sic:²³ in generatione univoca generans et genitum assimilantur in forma quae est 'principium quo' generationis et in forma quae est 'terminus ad quem' generationis ex parte geniti; sed ista assimilatio est in re extra ex natura rei, certum est; ergo unitas super quam fundatur ista assimilatio erit in re ex natura rei. Sed assimilatio ista est in aliqua re singulari, quia secundum singularitatem sunt primo diversa. Ergo oportet quod ista unitas sit in re aliqua indifferentiori quam sit res singularis. Et hoc erat probandum.

14. Praeterea, septimo:²⁴ si omnis unitas realis sit unitas numeralis tantum, ergo omnis diversitas realis est diversitas numeralis²⁵ tantum. Ergo cum inter Sortem et lapidem sit diversitas realis, illa erit numeralis tantum; et inter Sortem et Platonem est diversitas numeralis tantum; ergo tanta diversitas <est> inter Sortem et Platonem quanta inter Sortem et lapidem. Consequens impossibile, ergo antecedens.

²⁰ Aristot., *De anima*, III, c. 2, (II, tt. 144 et 138); 425b 20—23; 426b 8—12.

²¹ Aristot., *De anima*, II, c. 6, t. 63 (418a 11—12).

²² Ioan. 20, 19.

²³ Scotus, loco cit., n. 6 (ed. Wadding, VI, 337). 'Septimo' apud Scotum.

²⁴ Scotus, loco cit., n. 5 (ed. Wadding, VI, 336s.). 'Sexto' apud Scotum.

²⁵ numeralis] realis B.

15. Praeterea, septimo(!) potest argui ex dictis eiusdem Doctoris multum probabiliter sic:²⁶ accipio Sortem et Platonem. Quaero, utrum in Sorte sit aliqua²⁷ res praeter considerationem intellectus indifferens ad Sortem et Platonem aut non. Si sic, habeo propositum. Si non, ergo omnis res quae est in Platone est distinguens ipsum a Sorte, nam certum est quod res illa quae convenit soli Sorti ita quod non Platoni distinguit Sortem a Platone. Ex hoc sequitur ultra inconveniens quod a Sorte et Platone non potest abstrahi aliquod commune univocum. Consequens falsum. Probatio consequentiae: ab ultimis et distinctivis nihil potest abstrahi commune univocum. Et illud probatur sic: nam si conveniant in aliquo et distinguantur, ergo habent aliquid in quo conveniunt et aliquid in quo distinguuntur. Ergo non sunt ultima distinctiva, sed sunt distincta per ulteriora distinctiva. Ergo si quaelibet res in Sorte esset distinctiva illius a Platone, a Sorte et a Platone non posset abstrahi aliquod commune univocum. — Ista sunt quae possunt extrahi de dictis magistri Ioannis Scoti pro ista materia.

〈Alia argumenta pro parte affirmativa〉

16. Praeterea, octavo, potest argui pro ista materia per argumentum magnum theologicum, et hoc sic: Christus assumpsit naturam humanam realem, et non assumpsit aliquod hominis suppositum; ergo necessario est in homine aliqua res extra animam praeter suppositum. Consequentia apparet. Probatio antecedentis quantum ad utramque partem. Quantum ad primam partem, quod assumpsit naturam humanam realem, Damascenus, libro III, cap. 13,²⁸ dicit quod “Dei Verbum incarnatum non eam quae nuda contemplatione consideratur naturam assumpsit; non enim incarnatio haec, sed fictio incarnationis”. Haec Damascenus. Ergo naturam assumpsit non in contemplatione sola considerantis sed in re. Secunda pars antecedentis, quod non assumpsit aliquod suppositum, patet per auctoritatem et fidem catholicam, ut patet in *Sententiis*, libro III, distinctione sexta et septima,²⁹ nam Christus non assumpsit aliquod hominis suppositum vel aliquam personam. Ergo etc.

17. Praeterea, nono, potest argui per auctoritatem Boethii. Boethius in libro *De duabus naturis et una persona Christi*³⁰ dicit quod “substan-

²⁶ Scotus, loco cit. Sed verba sunt Henrici de Harclay.

²⁷ aliqua] alia B.

²⁸ Ioannes Damascenus, *De fide orthodoxa*, III, c. 11 (PG 94, 1023 A—B); versio Burgundionis, c. 55 (ed. E. Buytaert, St. Bonaventure, N. Y. 1955, 203s.).

²⁹ Petrus Lombardus, *Liber Sententiarum*, III, dd. 6—7 (ed. Quaracchi 1916, 573—589).

³⁰ Boethius, *De persona et duabus naturis*, c. 2 (PL 64, 1343 B).

tiae aliae sunt universales, aliae sunt particulares", sicut Philosophus dicit in *Praedicamentis*,³¹ quod substantia alia prima et alia est substantia secunda. Et substantiae universales, secundum Boethium, sunt sicut animal, lapis et lignum, et genera et species quae de aliis praedicantur, ut sunt individua. Ergo universalia sunt substantiae, ergo res extra animam. Omnis enim res in anima tantum accidens est. — Praeterea, Boethius, ibidem,³² dividit substantiam in subsistentem et substantem. Subsistere autem, secundum eum, est non indigere accidentibus ut esse possit; et substare est esse praebere accidentibus. Modo, secundum eum,³³ genera et species subsistunt tantum, sed individua et subsistunt et substant. Ergo genera et species non indigent accidentibus, ergo sunt res extra animam; nam si essent in anima tantum, essent accidentia et indigerent accidentibus ad hoc quod possent esse.

18. Praeterea, decimo, arguitur sic a multis,³⁴ et videtur eis quod inevitabiliter³⁵ scientia realis habet subiectum reale; sed omnis scientia habet subiectum universale. Probat enim Aristoteles in VII *Metaphysicae*³⁶ quod singularium non est scientia. Ergo universale est ens extra animam.

19. Dicetur forte quod scientia <est> de singulari, tamen sub intentione communi considerato, et hoc modo de universali tantum est scientia. Contra hoc dupliciter. Primo³⁷ sic. I *Posteriorum*.³⁸ De subiecto scientiae debet praecognosci quid est et quia est. Ergo si de singulari sit scientia naturalis vel mathematica, oportet de omni singulari praesupponere ipsum esse sub intentione communi saltem, ergo oportet naturalem scire de omni bove quod sit, et mathematicum de omni linea quod sit in rerum natura, sub intentione communi saltem. — Praeterea, cum subiectum ponatur in definitione scientiae, in definitione scientiae mathematicae poneretur omnis linea, quia qua ratione unum singulare lineae et aliud singulare. Consequens falsum. Probatio antecedentis:

³¹ Aristot., *Praedicamenta*, c. 5 (2a 11—19).

³² Boethius, loco cit.

³³ Boethius, ibidem, C.

³⁴ Simile argumentum legimus, sed multo fusius explicatum, apud Robertum Cowton, in quaestione: *Utrum natura assumpta a Verbo sit haec natura singularis*. En verba Roberti: "Omnis passio realis et realiter una habet subiectum realiter unum. . . Et tunc sequeretur ulterius quod vel nulla erit demonstratio realis, et per consequens nec scientia realis, vel oportet dicere quod scientia vel demonstratio est primo singularium, quod est falsum, quia secundum Philosophum, VII *Metaphysicae* et I *Posteriorum*, de singularibus non est scientia" (Romae, Bibl. Angelica, cod. 1017, f. 98r).

³⁵ inevitabiliter] in numerabiliter B.

³⁶ Aristot., *Metaph.*, VII, c. 15, t. 53 (1039b 28 — 1040a 9).

³⁷ Primo] Probatio B.

³⁸ Aristot., *Anal. Poster.*, I, c. 1 (71a 11—13).

nam Philosophus, V *Metaphysicae*, capitulo *De ad aliquid*,³⁹ dicit quod scientia refertur ad scibile relatione reali. Sed in *Praedicamentis*⁴⁰ habetur quod unum relativorum cadit in definitione alterius, ergo subiectum cadit in definitione scientiae, nam subiectum scientiae scibile est in illa.

20. Praeterea, undecimo, arguitur, sicut ad oppositum principaliter arguitur: definitio non est singularium sed universalium tantum, sicut probat Aristoteles, VII *Metaphysicae*.⁴¹ Sed definitio indicat quidditatem, ergo significat rem extra animam. — Confirmatur: Commentator, VII *Metaphysicae*, commento 10:⁴² In definitione non debet poni nisi substantia. Illa substantia quae ingreditur definitionem aut est universalis, et habetur propositum, quia intentio animae non est substantia sed accidens; aut est individua, et tunc Sortes definitur per individuum. Aut ergo per se ipsum, et tunc idem notius erit se ipso, quia pars definitionis notior <est> definito, (definitio enim debet dari per notiora); aut per aliud individuum, et tunc Sortes est Plato, vel aliud individuum, quia pars definitionis praedicatur de definito.

21. Praeterea, duodecimo, Sortes et Plato sunt per se inferiora ad aliquod commune unum, aliter non essent eiusdem speciei. Illud commune aut est res aut intentio sola. Si res, aut ergo universalis, et habetur propositum; aut singularis et individuum, et tunc Sortes et Plato sunt inferiora respectu alicuius individui; ergo aliquod individuum praedicatur de illis. Consequens est falsum. Si illud commune sit intentio sola, ergo cum illud commune et superius praedicetur in quid de inferiori, Sortes erit intentio per se. Item, erit qualitas per se primo modo, quia illa intentio qualitas mentis est.⁴³

22. Praeterea, decimo tertio, arguitur: accipio genus generalissimum substantiae, quaero, utrum sit res aut intentio tantum. Si intentio, multa sequuntur⁴⁴ absurda. Primo, quod substantia erit in genere qualitatis, quia illa intentio qualitas mentis est. Secundo, sequitur quod genus generalissimum habet aliquod genus supraveniens, quia intentio illa generis est quaedam qualitas mentis; ergo est quoddam individuum qualitatis; ergo habet genus supraveniens. Multa etiam absurda sequuntur. Cum enim intentio et qualitas mentis sit subiective in mente et in

³⁹ Aristot., *Metaph.*, V, c. 15, t. 20 (1020b 31—32).

⁴⁰ Aristot., *Praedicamenta*, c. 7 (8a 35 — 8b 9).

⁴¹ Aristot., *Metaph.*, VII, c. 15, t. 53 (1039b 28 — 1040a 9).

⁴² Averroes, *In Aristot. Metaph.*, VII, sed potius t. 12 (ed. Iuntina, VIII, ff. 76v—77r).

⁴³ mentis est] interest B.

⁴⁴ sequuntur] requiruntur B.

anima, numeratur ad numerationem animae, ergo quot sunt animae tot sunt genera generalissima, immo in una anima sunt multa <genera> generalissima.

23. Praeterea, decimo quarto, I *Posteriorum*.⁴⁵ Propositio negativa est immediata in qua negatur unum generalissimum ab alio, ut sic dicendo 'nulla quantitas est qualitas'; sed propositio alia in qua negatur una species unius generalissimi ab alia specie generalissimi est mediata tantum, ut cum dicitur 'nulla albedo est linea'. Quaero ergo, cum dicitur 'nulla quantitas est qualitas', utrum negatio sit pro conceptu tantum vel pro rebus. Si pro conceptu, non est tunc propositio immediate vera, immo falsa; negatur enim superius de inferiori, nam conceptus quantitatis, sicut et omnis alius conceptus, est quaedam qualitas. Si negatio sit pro rebus extra animam, ergo ista 'nulla linea est albedo' est ita immediata sicut ista 'nulla quantitas est qualitas', quod est contra Aristotelem. Probatio consequentiae: nam utrobique est negatio pro eisdem rebus, nam per te quantitas in communi non est alia res ab hac quantitate vel illa; et eodem modo de quantitate in communi.

24. Praeterea, decimo quinto,⁴⁶ si inter Sortem et Platonem non sit aliqua unitas realis, Sortes et Plato non sunt magis unum ex natura rei quam Sortes et lapis. Consequens falsum, ergo etc. Probatio consequentiae: nam si nihil idem reale sit in Sorte et Platone, Sortes per omne illud quod est in eo differt a Platone, et eodem modo per omne illud quod est in eo differt a lapide; et non potest differre plus quam per totum quod est in illo, ergo tantum differt a Platone quantum a lapide.

<Auctoritates pro parte affirmativa>

25. Arguitur etiam per auctoritates multas pro ista parte. Primo. Philosophi, libro *Praedicamentorum*, capitulo de substantia.⁴⁷ Dividit enim substantiam in substantiam primam et substantiam secundam. Substantia secunda species sunt et genera, ergo sunt extra animam.

26. Item, ibidem dicit⁴⁸ quod species sunt magis substantiae quam genera. Quod nullo modo posset esse verum de intentione in anima; una enim intentio non magis est substantia quam alia.

⁴⁵ Aristot., *Anal. Poster.*, I, c. 21 (82a 36 — 82b 34). Cf. *Quaestiones in Arist. Poster.*, I, q. 21, n. 4 (inter opera Scoti; ed. Wadding, I, 374).

⁴⁶ Cf. simile argumentum supra, n. 7.

⁴⁷ Aristot., *Praedicamenta*, c. 5 (2a 10—17).

⁴⁸ Aristot., loco cit. (2b 7—8).

27. Praeterea, Aristoteles, parum ante capitulum *De substantia*,⁴⁹ dicit quod eorum quae sunt quaedam dicuntur de subiecto et non sunt in subiecto. Quaero, quid est illud? Aut res aut intentio. Non intentio. Intentio enim accidens est, et per consequens est in subiecto. Ergo est res. Aut ergo res universalis, et habetur propositum; aut singularis, et hoc non est verum, quia singulare non dicitur de aliquo, nam Aristoteles, in capitulo *De ad aliquid*,⁵⁰ dicit quod prius substantia, id est prima, scilicet individuum, de nullo praedicatur.

28. Praeterea, Aristoteles, I *Perihermenias*:⁵¹ “Rerum quaedam sunt universalialia, quaedam particularia. Dico autem universale quod de pluribus aptum natum est praedicari, singulare vero quod non”. Ergo universale est res extra animam.

29. Praeterea, I *Topicorum*:⁵² “Idem dicitur tripliciter: idem genere, idem numero, idem specie”. Et idem numero est maxime unum secundum eum. Tunc quaero, utrum identitas specifica est realis aut rationis tantum. Si realis, habetur propositum. Si rationis, tunc non est maior unitas numeralis quam speciei vel generis, quia intentio et ratio est una numero speciei respectu multorum individuorum et generis respectu specierum.

30. Praeterea, I *Posteriorum*:⁵³ Universale est semper et ubique. Ergo res extra animam.

31. Praeterea, I *Physicorum*:⁵⁴ Confusa sunt nobis notiora. Intelligit autem per ‘confusa’ universalialia. Sed ea quae sunt in anima non sunt nobis magis nota sed minus, quia nonnisi per reflexionem. Ergo universalialia sunt in re extra.

32. Praeterea, II *Physicorum*⁵⁵ et V *Metaphysicae*,⁵⁶ dicit Aristoteles quod <sicut> effectus particularis est <a> causa particulari, ita effectus universalis a causa universali. Sed apud intellectum non est causa sufficiens universalis nec effectus universalis, cum tamen propositio Aristotelis intelligi debet in omni genere causae. Ergo oportet quod universale sit in rerum natura.

⁴⁹ Aristot., loco cit., c. 2 (1a 20—21).

⁵⁰ Aristot., loco cit., c. 7 (8a 15—16).

⁵¹ Aristot., *Periherm.*, c. 7 (17a 38—40).

⁵² Aristot., *Topica*, I, c. 7 (103a 7—8).

⁵³ Aristot., *Anal. Poster.*, I, c. 31 (87b 32—33).

⁵⁴ Aristot., *Physica*, I, c. 1, t. 3 (184a 21—23).

⁵⁵ Aristot., *Physica*, II, c. 3, t. 38 (195b 25—27).

⁵⁶ Aristot., *Metaph.*, V, c. 2, t. 3 (1014a 15—25).

33. Praeterea, X *Metaphysicae*⁵⁷ probat quod in uno genere est tantum distantia maxima contrariorum, et hoc ex natura rei. Sed hoc non potest intelligi de aliqua distantia individuorum, nam non contingit aliqua individua tantum distare quin alia individua tantum possint distare.

34. Praeterea, Porphyrius, in capitulo *De specie*,⁵⁸ dicit quod "species est collectiva multorum individuorum in eandem naturam, et singularia dividunt illud quod unum est, propter multitudinem". Ergo species et individuum non sunt eadem res.

35. Item, Porphyrius⁵⁹ dicit quod generalissima sunt tantum decem, specialissima sunt quodam numero finita, individua vero sunt infinita, et ideo sunt ab arte relinquenda. Si tamen genera non haberent esse extra animam tot essent generalissima quot individua.

36. Praeterea, Porphyrius⁶⁰ dicit quod quaedam proprietates singulares quae non conveniunt <nisi> Socrati in proprietate, nunquam in alio possunt inveniri individuo, hae vero quae sunt communes hominis proprietates in pluribus erunt, ut risibile et susceptibile disciplinae. Ergo et illud est in pluribus cuius primo sunt tales proprietates; et haec est natura communis, non singularis; ergo etc.

37. Praeterea, auctor *Sex Principiorum*⁶¹ quaerit quaestionem de universalibus, utrum fiant a natura vel ab actu, id est ab arte. Et solvit quod sunt a natura. Natura enim in his occulte operatur, nam in producendo singularia producit universalia. Omnis communitas a singularitate procedit. Sed natura non producit nisi rem extra animam; ergo universale est ens extra animam.

38. Praeterea, adducitur auctoritas Commentatoris, II *Metaphysicae*, commento 22.⁶² Dicit enim: Qui dicunt quod nulla est res in qua communicant individua nisi nomen tantum, illi destruunt scientiam. Ergo est aliqua res in qua conveniunt individua; sed non est illa res singularis in qua conveniunt; ergo est universalis. — Multae aliae auctoritates et rationes possent adduci pro opinione, sed haec sufficiant.

⁵⁷ Aristot., *Metaph.*, X, c. 4, t. 14 (1055a 23—33).

⁵⁸ Porphyrius, *Isagoge*, cap. *De specie* (PL 64, 111 C; ed. Minio-Paluello, *Aristoteles Latinus*, I, 6—7, Bruges-Paris 1966, 12, lin. 15—18).

⁵⁹ Porphyrius, loco cit. (PL 64, 110 C; ed. Minio-Paluello, 12, lin. 7—13).

⁶⁰ Porphyrius, loco cit., cap. *De genere* (PL 64, 92 C; ed. Minio-Paluello, 7, lin. 9—20.)

⁶¹ *Liber sex Principiorum*, nn. 7 et 9 (ed. Minio-Paluello, *Aristoteles Latinus*, I, 6—7, pp. 36s.).

⁶² Cf. Averroes, *In Aristot. Metaph.*, II, t. 11 (ed. Iuntina, VIII, f. 16); commentum 22 non habetur in hoc libro.

〈Rationes contra partem affirmativam〉

39. Contra istam opinionem 〈arguo〉 primo per rationes, postea per auctoritates. Primo sic: probro quod in Sorte non est aliqua res universalis et magis indifferens quam Sortes. Accipio sorteitatem Sortis et eius humanitatem: inter ista, per te, est distinctio realis,⁶³ ita quod humanitas est communior quam sorteitas sua. Contra: illud quod determinat sibi sorteitatem et Sortem non est communior et indifferentior quam sit Sortes vel sorteitas. Illud probro statim. Ego volo 〈aliquid〉 determinare sibi aliquid. Quando hoc est coniunctum sibi in esse et non separatur ab eo nec potest coniungi cum alio tunc unum determinat sibi aliud. Tunc est propositio accepta plana: illud quod ita determinat sibi Sortem quod non invenitur in alio quam in Sorte, illud non est communior quam Sortes. Planum est ex opposito:⁶⁴ si enim in alio a Sorte posset inveniri, non esset necessario coniunctum cum Sorte, sed esset communior quam Sortes 〈et〉 eo ipso posset inveniri in alio quam in Sorte. Modo accipio minorem: si humanitas Sortis, vel illa humanitas quae est in Sorte, ita determinat sibi sorteitatem quod illa humanitas eadem numero non invenitur in Platone, ergo humanitas Sortis non est communior quam Sortes.

40. Confirmatur haec ratio similiter per dicta partis adversae. Ipsi enim arguunt sic ad probandum quod quantitas non est principium individuationis⁶⁵ (et est argumentum demonstrativum, ut videtur eis, et videtur similiter mihi): substantia Sortis determinat sibi hanc quantitatem Sortis, ita quod impossibile est substantiam Sortis inveniri sub quantitate Platonis. Tunc quaero: utrum substantia Sortis quae per naturam suam sibi determinat quantitatem hanc, determinet sibi eam per aliam rationem magis communem quam sit natura singularis vel per naturam minus communem quam natura speciei. Si primo modo, certum est quod non est possibile, nam per naturam communiorem et indifferentiorem quam natura singularis non determinatur aliquid ad unum suppositum magis quam ad alterum. Tunc enim eo ipso non esset indif-

⁶³ Immo distinctio formalis, iuxta Scotum, *Opus Oxoniense*, II, d. 3, q. 6, n. 15: "...ita quod quodlibet commune et tamen determinabile adhuc potest distingui, quantumcumque sit una res, in plures realitates formaliter distinctas, quarum haec formalitas non est illa: sed haec est formaliter entitas singularis et illa est entitas naturae formaliter; nec possunt istae duae realitates esse res et res, sicut possunt esse realitas unde accipitur genus et realitas unde accipitur differentia, ex quibus realitas specifica accipitur; sed semper in eodem, sive parte sive toto, sunt realitates eiusdem rei formaliter distinctae" (ed. Wadding, VI, 413).

⁶⁴ opposito] apposito B.

⁶⁵ Cf. Scotus, loco cit., nn. 5—6 (ed. Wadding, VI, 384); videsis etiam *Quaestiones in Aristot. Metaph.*, VII, q. 13, n. 6 (ed. Wadding, IV, 700).

ferens. Ergo substantia Sortis si determinet sibi quantitatem Sortis hanc, oportet quod hoc sit per rationem substantiae singularem et minus communem quam substantia hominis in communi. Ergo substantia Sortis in se habet singularitatem per quam determinat sibi quantitatem hanc. Ergo non habet suam singularitatem a quantitate, immo sua propria singularitas est sibi causa habendi hanc quantitatem. — Ista ratio videtur eis demonstrare; et mihi etiam idem videtur quod si haec ratio aliquid valeat, valebit in proposito. Nam in Sorte, per te, est humanitas, res differens a sorteitate, cui superveniet sorteitas distinguens et contrahens ipsam, sicut substantia Sortis est res alia <a> quantitate sua quae posterius venit sibi. Et sicut substantia Sortis, ut tu accipis, non potest inveniri sub quantitate Platonis, et ideo determinat sibi quantitatem hanc Sortis, eodem modo accipio ego quod humanitas Sortis non potest esse cum platoneitate, et ideo determinat sibi sorteitatem. — Si dicas quod non, quia humanitas est universalis, ita dicam tibi quod substantia Sortis in se est universalis; nec probas tu oppositum magis quam ego ex parte ista.

41. Secundo arguo sic: accipio humanitatem Sortis ut est res distincta contra Sortem praecise et humanitatem Platonis ut est res distincta contra Platonem praecise (nolo loqui de humanitatibus non includendo sorteitatem⁶⁶ et platonitatem), quaero: utrum istae duae humanitates sint una humanitas numero vel duae numero, distinctae secundum se. Primum est impossibile, <scilicet> quod humanitas una numero in se indivisa sit in Sorte et Platone.

42. Illud liquet multis modis. Commentator, in II *Metaphysicae*, commento 62,⁶⁷ accipit istam propositionem ad probandum⁶⁸ illud quod non est eadem natura extra animam in individuis. Dicit enim sic: Quod unum numero, impossibile est esse in pluribus. Sed de auctoritate eius nulla mihi cura.

43. Alio modo probatur, sine contradictione, quod non est possibile quod eadem humanitas numero sit in Sorte et Platone. Tunc enim Deus non posset adnihilare Sortem cum humanitate sua nisi adnihilaret Platonem, et non posset unam ranam adnihilare nisi adnihilaret omnem ranam. Et tunc sequitur quod cum hic panis in sacramento Altaris convertitur in corpus Christi virtute verborum sacramentalium, (in qua conversione, secundum fidem non manet aliquid de pane, nec materia

⁶⁶ sorteitatem] sor B.

⁶⁷ Averroes, *In Aristot. Metaph.*, I, t. 31: "Unum enim numero non invenitur in pluribus" (ed. Iuntina, VIII, f. 10va).

⁶⁸ probandum] propositum B.

nec forma, et per consequens nihil de paneitate), in eodem instanti convertetur omnis panis in mundo, hoc est omnis paneitas; quod est contra fidem Ecclesiae. Et eadem humanitas numero esset in Christo et in Iuda, quia Christus assumpsit humanitatem et non suppositum hominis, et non est distinctio, per te, inter humanitatem huius et alterius nisi per aliud <distinctum> realiter a humanitate, puta per proprietatem individualement. Et ista sunt absurda.

44. Si dicatur quod uno modo essendi nihil prohibet unum numero esse in multis simul, non tamen sicut accidens in subiecto vel corpus in loco, sed sicut universale est <in> singulari. Pone exemplum: idem tempus numero et est hic et Romae. — Illud non valet in aliquo. Universale <enim>, quocumque modo ponatur in singulari, ita est realiter coniunctum cum singulari quod non est extra singulare sicut idea Platonis, nec extra localiter sicut corpus, nec modo suo essendi in loco sicut spiritus et angelus est in loco, ita quod non est praesens loco alicui nisi eidem cui singulare est praesens. Modo, impossibile est vel quod corpus vel quod angelus sit praesens diversis locis simul per naturam suam, sicut omnes concedunt, quia vix concedunt quod virtute divina poterit hoc esse.

45. Alia de tempore nihil valet, nam in rei veritate tempus non est in hoc loco nec in loco Romae nisi secundum modum loquendi vulgi, sicut dicimus 'caelum est Romae sicut hic'. Cuius ratio est: tempus est accidens, subiective existens in motu primo, secundum communem opinionem.⁶⁹ Ergo ibi et in illo est tempus ubi est motus primus. Eo ergo modo est idem tempus hic et Romae quo modo motus caeli est idem hic et Romae. Sed motus ille non est in Roma nec est in hoc loco, sed est in caelo. Si autem tempus esset passio motuum inferiorum, sicut non est idem motus hic et Romae, quia non est idem mobile, ita nec idem tempus, sicut est in proposito: humanitas est forma Sortis quae est hic⁷⁰ et non Romae, ergo impossibile <est> quod eadem numero sit Platonis forma Romae. Ergo non est eadem humanitas numero, ergo specie tantum; et tunc non magis convenit Sortes et Plato in humanitate quam in sorteitate et platonitate, quia Sortes et Plato differunt numero tantum. Igitur frustra ponitur humanitas res alia a Sorte, ut sit magis universalis quam Sortes.

46. Praeterea, tertio, sic probo quod Sortes et Plato <ita> distinguuntur per humanitatem in re sicut per⁷¹ sorteitatem et platonitatem, et per consequens frustra ponitur humanitas res alia a Sorte ut sit⁷² com-

⁶⁹ Cf. Averroes, *In Aristot. Physicam*, IV, t. 130 (ed. Iuntina, IV, f. 93vb); Thomas Aquinas, *Summa theol.*, I, q. 10, a. 6 Resp.

⁷⁰ hic] huius B.

⁷¹ per] in B.

⁷² sit] hic B.

munior quam Sortes. Probo assumptum: accipio humanitatem Sortis distinctam contra sorteitatem,⁷³ per te, et eodem modo humanitatem Platonis distinctam contra platonitatem, et comparo humanitatem Sortis ad Platonem et platonitatem. Dico sic: humanitas Sortis per naturam propriam, secundum quam distinguitur a Sorte, distinguitur realiter a Platone et platonitate. Istud est certum. Si enim humanitas Sortis realiter distinguitur a Sorte cuius est forma <et> in quo est, multo magis secundum se distinguitur a Platone cuius non est nec in quo est. Eodem modo humanitas Platonis secundum naturam humanitatis, qua distinguitur contra platoneitatem, distinguitur realiter multo magis a Sorte. Ergo Sortes et Plato habent in se res quibus sufficienter distinguuntur ab invicem praeter sorteitatem et praeter platoneitatem. Sed illa distinctio ad minus numeralis est; minor enim esse non potest. Ergo pone quod humanitas Sortis et humanitas Platonis sint aliae res a Sorte et a Platone: ita erunt distinctae per humanitates suas sicut per sorteitatem et platonitatem, ergo frustra ponitur humanitas communis magis quam sorteitas. Arguo sic: accipio humanitatem Sortis; illa distinguitur realiter a Sorte. Cum ergo, sicut ipsi arguunt,⁷⁴ distinctio realis dicitur toties quoties idem, et idem dicitur tripliciter realiter(!), secundum Aristotelem, I *Topico-rum*, sicut ipsi arguunt, ergo et Sortes et sua humanitas differunt vel numero tantum vel specie vel genere. Non specie nec genere, planum est, ergo numero tantum. Et ex hoc multa sequuntur absurda, ut videtur. Primo, quod humanitas Sortis et Sortes tantum differunt quantum differunt Sortes et Plato, qua solo numero differunt utrobique, et in sola differentia numerali non est gradus. Ita enim arguunt illi⁷⁵ pro parte opposita, deducendo ad hoc inconueniens quod omnis distinctio realis esset numeralis tantum si omnis unitas realis sit numeralis tantum, et tunc non differunt Sortes et asinus plus quam Sortes et Plato. — Tota illa deductio nihil valeret si in distinctione numerali solent(!) essent gradus. Tunc enim Sortes et asinus magis differrent realiter et numeraliter quam Sortes et Plato, quia in distinctione numerali sunt gradus secundum magis et minus. Ergo non magis differt homo qui est Sortes a Sorte quam Sortes a Platone.

47. Praeterea, aliud inconueniens sequitur ex eodem, nam Sortes et humanitas Sortis numero differunt tantum, ergo conveniunt in aliquo communi secundum speciem. Quaero, quid est illud: aut homo aut aliud quam homo. Si aliud quam homo, ergo asinus vel bos vel huiusmodi alia

⁷³ sorteitatem] Sortem B.

⁷⁴ Videsis supra, n. 29, ubi etiam auctoritas Aristotelis.

⁷⁵ Supra, n. 14.

species a homine; et hoc est manifeste falsum. Si conveniant in hoc quod est 'homo', tunc multa inconvenientia sequerentur. Primo, quod homo esset communius et superius ad hominem etiam universalem; quod est inconveniens. Secundo, quod homo est non-Sortes et non-Plato; aliter non esset eis communis nec indifferens ad plura quae sunt distincta et non unum. Ergo 'homo' communis ad hominem ex parte una et Sorti ex parte alia (quae sunt numero distincta), inherit⁷⁶ et supposito Sortis et supposito hominis, ergo homo potest esse in non-homine sicut in non-Sorte.

48. Praeterea, quinto, potest argui quod erit processus in infinitum in entibus realibus, quod inconveniens videtur. Probatio quod hoc sequitur: 'homo' significat unam rem communem Sorti et Platoni, et est illa res alia a Sorte et Platone realiter; ergo inter illam et Sortem est realis differentia, et per consequens sunt 'aliquid idem entia',⁷⁷ nam certum <est> quod non sunt ita realiter distincta quod sunt primo distincta, in nullo uno convenientia, sicut Deus et lapis vel sicut syllogismus et Sortes; igitur convenientia est inter illa ex natura rei, nam in solo conceptu non possunt convenire. Tunc enim, ut ipsi arguunt pro parte alia,⁷⁸ non magis convenirent ex natura rei homo et Sortes quam illa quae differunt specie vel etiam genere, quae <ita> conveniunt in uno conceptu communi sicut ea quae conveniunt in specie. Accipio ergo illud commune reale quod est commune homini et Sorti, quia illud est, per te, alia res a Sorte et ab homine, et comparo hominem ad illud commune reale secundum convenientiam realem et secundum distinctionem realem. Nam et illa realiter conveniunt, sicut prius, ergo in aliquo communi reali, tertio ab his et distincto ab eis. Et de illo communi ulterius loquar: nam illud commune reale et illud ad quod est commune habent convenientiam realem, sicut prius, ergo in communi, sicut prius, alio ab istis; ergo processus in infinitum necessario in ente reali.

49. Praeterea, sexto, potest argui sic. Ego probo quod data <hac> opinione, ista propositio est falsa 'Sortes est homo'. Veritas <enim> cuiuslibet propositionis dependet ab unitate rei significatae⁷⁹ <per> praedicatum ad rem significatam per subiectum. "In eo enim quod res est vel non est, est oratio vera vel falsa", secundum Aristotelem, in *Praedicamentis*.⁸⁰ Unde identitas rei ad rem est causa veritatis propositionis

⁷⁶ inherit] invenitur et B.

⁷⁷ Cf. Aristot., *Metaph.*, V, c. 9: "Differentia vero dicuntur quaecumque diversa sunt, idem aliquid entia; et non solum numero, sed specie, aut genere, aut proportionem" (1018a 12—15).

⁷⁸ Cf. supra, n. 29.

⁷⁹ significatae] praedicatae B.

⁸⁰ Aristot., *Praedicamenta*, c. 5 (4b 9—10).

affirmativae et diversitas rei est causa falsitatis affirmativae et veritatis negativae. Illud probatur, et per eos et per rei veritatem. Per eos: ipsi⁸¹ enim arguunt sic, quod propositio illa est negativa immediate vera in qua negatur unum generalissimum ab alio generalissimo, ut 'nulla substantia est quantitas', secundum Aristotelem, I *Posteriorum*. Et hoc secundum res, quia res <unius> generalissimi est primo diversa a re alterius generalissimi, et res speciei unius non est primo diversa a re speciei alterius praedicamenti. Ideo ista non est immediata 'nullus homo est linea' sicut haec 'nulla substantia est quantitas', quia res quae est homo et res quae est linea non sunt tam distantia ex natura rei sicut res-substantia et res-quantitas. Ergo veritas propositionis vel propositionis falsitas, et maior et minor, et immediatior et mediatior, dependet ex convenientia et identitate rei significatae per praedicatum et rei significatae per subiectum. Ergo nunquam propositio affirmativa est vera nisi praedicatum et subiectum significant unam rem numero, sive per se sive per accidens, sive secundum totum sive secundum partem; sicut nunquam est propositio negativa vera nisi propter realem distinctionem praedicati a subiecto. Modo, res quam significat 'Sortes'⁸² est totaliter alia res a re quam significat 'homo', ita quod nihil est in uno quin realiter distinguatur ab alio; ergo totum a toto. Probatio: Sortes est substantia composita ex materia et forma, et homo significat substantiam compositam ex materia et forma, alioquin non esset commune secundum praedicationem individuis compositis ex materia et forma. Et tunc quaero, utrum eadem materia numero est in Sorte et in homine; et similiter de forma unius et forma alterius, utrum sint eadem secundum numerum. Si eadem secundum numerum, et ex eadem forma secundum numerum <et ex eadem materia secundum numerum> non resultat nisi idem compositum numero, certum est, ergo substantia composita quam significat 'homo' est eadem numero cum substantia composita quam significat Sortes; ergo Sortes et homo <sunt> una res secundum numerum, quod est contra opinionem. Si sit alia materia et alia forma, ergo aliud compositum; ergo totus homo est alius a toto Sorte, secundum quod 'totus' tenetur categorematice et syncategorematice, nam nulla pars unius est eadem cum aliqua alterius, nec totum cum toto. Ergo vere hoc compositum non est illud compositum, sicut nec haec materia est illa, nec haec forma est illa forma; ergo Sortes non est homo.

⁸¹ Supra, n. 23; ubi allegatur etiam auctoritas Aristotelis, quae continuo sequitur.

⁸² Sortes] homo B.

50. Praeterea, ego probo sine contradictione, quod si unum praedicatur de alio, quod sunt una res necessario. Nam da quod non: *a* et *b* non sunt una res, et tamen haec est vera *a* est *b*, ita quod res praedicatur de re. Tunc arguo: quando alterum de altero praedicatur, quidquid praedicatur de praedicato, praedicatur de subiecto, in *Praedicamentis*.⁸³ Et ista regula non tantum tenet in praedicabilibus ordinatis in genere praedicamentali, sicut quidam dicunt,⁸⁴ immo certe in omnibus praedicationibus ubi medium non variatur, sicut quando praedicatur idem de se, ut 'si tunica est vestis, et vestis alba, tunica alba'. Item, in praedicatione per accidens, cum inferius de superiori praedicatur ut particulariter, <verbi gratia> quod 'animal est homo, et ille homo est Sortes, ergo animal Sortes'. Unde universaliter, accipiendo uniformiter medium et per eandem rationem, nunquam deficit regula. Probatio statim illius: nam alioquin nihil valeret totus processus Aristotelis in libro *Priorum*,⁸⁵ nam evidentia syllogistica in qua concluditur una extremitas de minore, dependet ex convenientia eorum in medio termino.

51. Et iterum, Aristoteles⁸⁶ docet facere syllogismum expository per hoc quod medio existente hoc aliquid, necesse est extrema coniungi. Si ergo hoc *a* est hoc *b*, et hoc *b* est hoc *c*, necessario hoc *a* est hoc *c*. Tunc arguo: *a* est *b*, et hoc *a* est hoc *b*, et haec res est illa res, et haec *b*, id est haec res *b* per naturam huius rei est *c*, <ex quo> indubitanter sequitur quod *a* est *c*. Tunc volo quod *c* praedicatum sit illud differens ab *a*, nam hoc praedicatum convenit ipsi *b* per naturam huius rei quae est *b*, per te, nam *a* et *b* sunt distincta per naturam utriusque rei, ergo sequitur a primo ad ultimum: hoc *a* est hoc *b*, et hoc *b* est differens ab *a*, ergo *a* est differens a *b*. Medium enim est 'hoc aliquid' et uniformiter. Consequens impossibile, ergo illud ex quo sequitur. Sequitur autem ex hoc quod ponitur quod una res praedicatur de alia, et tamen quod sunt realiter distincta. Unde antiquitus solet dici a Logicis⁸⁷ quod quando praedicatur superius de inferiori, praedicatur ut superius verificatur ut illud idem, et illud dictum est adhuc validum.

⁸³ Aristot., *Praedicamenta*, c. 3 (1b 10—12).

⁸⁴ Per 'quidam' Cancellarius videtur alludere ad Scotum, *Quaestiones in Praedicamenta Aristot.*, q. 9, n. 2: "Ad quaestionem dicendum quod regula est vera quando illa tria sumuntur in eodem genere essentialiter ordinata" (ed. Wadding, I, 138).

⁸⁵ Cf. Aristot., *Anal. Priora*, I, cc. 4—6 (25b 27 — 29a 17).

⁸⁶ Aristot., *Anal. Priora*, I, c. 6: "Est autem et per impossibile et expositione facere demonstrationes" (28a 22—23).

⁸⁷ Cf. *De generibus et speciebus*: "Item, species in quid praedicatur de individuo; praedicari autem in quid, ut aiunt, est praedicari in essentia" (ed. V. Cousin, inter opera Abaelardi, Paris 1836, 527); Thomas Aquinas, *Expositio Poster. Anal.*, I, c. 4, lectio 11, § 1 (ed. Leonina, I, 180b).

52. Praeterea, ista deductio est bona necessario: Sortes est homo; homo est communis; ergo Sortes est communis. Nec potest dici quod est fallacia accidentis, ut hic: Sortes est homo; homo est species; ergo Sortes est species. Non est hic variatio medii sicut ibi.⁸⁸ Cum enim dicitur 'Sortes est homo', <'homo'> significat veram rem extra animam; sed cum dicitur 'homo est species', accipitur 'homo' pro intentione in anima, et est medium variatum; immo <est ibi> vera fallacia aequivocationis, quia <cum dico> 'homo est', haec vox aequivoce significat naturam realem et intentionem in anima. Non sic ex parte ista, nam sic dicendo 'Sortes est homo', 'homo' qui hic praedicatur est vera res, alia a Sorte, et illa eadem res omnino est ex natura illius rei per quam praedicatur de Sorte communis ex natura rei, per te; ergo per eandem rationem homo praedicatur de Sorte et subicitur Platoni; ergo medium uniforme; ergo deductio bona.

53. Praeterea, septimo, potest argui sic: probo quod sequitur maximum inconueniens in theologia, et in rei veritate, secundum istam <opinionem>. Sequitur enim quod Deus non est simplex sed compositus. Item, quod aliqua res est media inter Deum et creaturam quae neque sit Deus neque creatura. Primum probo sic: nam Deus et creatura ex natura rei, sine omni comparatione intellectus analogantur in aliquo tertio, nam sapientia analogice dicitur de creatura et de Deo, sicut omnes concedunt,⁸⁹ et nullo modo aequivoce. Et probatur sine contradictione, quia si sapientia aequivoce diceretur de Deo et creatura, nunquam posset concludi sapientiam aliquam esse in Deo per hoc quod sapientia illa est simpliciter perfectio in creatura. Ergo convenientia illa est ex natura rei, licet tenuis. Et isti⁹⁰ concedunt quod genus significat rem extra animam sicut species, et convenientia in genere est convenientia in re sicut convenientia in specie, sed minor et magis tenuis, non tanta sicut convenientia in specie. Tunc arguo: impossibile est quod Deus conveniat cum creatura realiter et distinguatur ab ea per eandem omnino rem. Illud patet, quia contradictoria non possunt eidem inesse secundum idem. Convenire et differre includunt contradictionem. Deus convenit cum creatura in aliqua re, et non in deitate, cum illa distinguitur, ergo in alia re a deitate, et illa est in Deo, ergo in Deo est aggregatio rerum, ergo non est omnino simplex. — Item, secundum <inconueniens> sequitur similiter, quod res illa, puta sapientia in qua convenit Deus cum creatura, nec est creatura nec Deus. Probatio: illa est alia res a deitate,

⁸⁸ Potius deberet dicere: Non est ibi variatio medii sicut hic.

⁸⁹ Cf. Thomas Aquinas, *Summa theol.*, I, q. 13, a. 5 Resp.

⁹⁰ Supra, nn. 22 et 26.

alioquin non magis convenirent in sapientia quam in deitate realiter, cum sint una res, per te. Item, illa res non est creatura, tunc enim non conveniret Deo. Ergo est res media inter creaturam et Deum, quae non est Deus nec creatura. Hoc est inconveniens, ut videtur. Unde Augustinus, I *De Trinitate*, <cap.> 6:⁹¹ "Omnis substantia quae Deus non est, sequitur quod creatura <est>." Ergo nullo modo universale potest esse ens extra animam.

<Auctoritates contra opinionem affirmativam>

54. Secundo potest argui contra istam opinionem per auctoritatem. Primo per auctoritatem Damasceni, secundo per auctoritatem Aristotelis, tertio per auctoritatem Commentatoris, quarto per auctoritatem Avicennae.

55. Damascenus, libro I *Sententiarum*, cap. 11⁹² dicit directe oppositum istius, ut videtur. Ostendit enim qualiter communitas alio modo est in creatura quam in divinis personis. Dicit enim sic: "Oportet autem scire quoniam aliud est re considerari, et aliud ratione et cogitatione. Igitur in omnibus quidem creaturis hypostaseon divisio re quidem consideratur. Re enim Petrus a Paulo consideratur separatus. Communitas autem horum et copulatio ratione et cogitatione consideratur. Intellegimus enim intellectu quia Petrus et Paulus eiusdem sunt naturae et communem habent naturam. Unusquisque illorum est animal rationale mortale, unusquisque est caro animata <anima> rationali et intellectuali. Haec igitur communis natura ratione est considerabilis. Neque enim hae hypostases in se invicem sunt. Seorsum enim unaquaeque et secundum partem, id est secundum se ipsam separata est, plurima separantia eam ab altera habens. Etenim et loco distant et tempore differunt, et mente dividuntur et virtute, et forma secundum figuram, et habitu et complexione et dignitate et adinventionibus, et omnibus distinctivis et characteristicis proprietatibus differunt. Plus autem eo quod in se invicem differunt,⁹³ sed separatim sunt. Unde duo homines et tres homines dicuntur multi. Hoc autem et in omni est videre creatura". — Nota:

⁹¹ August., *De Trinit.*, I, c. 6, n. 9 (PL 42, 825); *Corpus Christ.* Series Lat. (50, 38).

⁹² Ioannes Damascenus, *De fide orthodoxa*, I, c. 8 (PG 94, 827 AB); versio Burgundionis, c. 8, §§ 16—17 (ed. E. Buytaert, St. Bonaventure, N. Y. 1955, 42s.). Haec auctoritas citatur (et statim solvitur) etiam a Scoto, *Opus Oxoniense*, II, d. 3, q. 1, nn. 8—9 (ed. Wadding, VI, 360s.).

⁹³ Editio versionis Burgundionis habet, loco cit.: "... plus autem omnibus, eo quod non in invicem sed separatim sunt". Plures tamen notantur lectiones variantes.

in ista auctoritate habetur expresse quod in creaturis communitas non est in re sed in sola ratione. Et probat Damascenus, quia duae hypostases non tantum differunt loco et tempore et characteristicis proprietatibus, immo in se invicem differunt, non tantum per proprietates sed in se, et ideo secundum <hoc> dicuntur non tantum duo individua sed etiam duo homines <et> duo animalia. Non enim est ita in divinis hypostasibus. Unde Damascenus statim:⁹⁴ "In sancta vero et <super> substantiali et incomprehensibili et super omnia Trinitate e converso est. Illic enim commune et unum re consideratur."

56. Praeterea, Aristoteles, I *De anima*:⁹⁵ "Animal autem universale aut nihil est aut posterius est." Commentator, commento <8>⁹⁶ exponens hoc, dicit sic: "Aristoteles per hoc verbum demonstrat quod non opinatur quod definitiones generum et specierum sunt definitiones rerum universalium existentium extra animam; sed sunt definitiones rerum particularium extra intellectum. Sed intellectus est qui agit in eis universalitatem." — Si forte dicatur quod universale ibi accipitur pro intentione in anima, non pro re extra; vel alio modo dicetur forte quod accipit ibi Commentator universale separatum a singularibus sicut opinatus est Plato, et tale posterius est quantum ad cognitionem nostram, et talis non est definitio, secundum quod dicit Commentator, istud non solvit. Plane auctoritas in oppositum. Duo dicit Commentator. Dicit enim primo quod per illud verbum 'universale aut nihil est' etc. intendit Aristoteles quod definitiones specierum non sunt rerum universalium existentium extra animam, sed rerum particularium extra intellectum. Illud secundum reformat primum.⁹⁷ Etsi enim prima particula posset glossari per opinionem Platonis, ut dicatur 'verum est, definitiones non sunt universalium existentium extra, modo quo Plato posuit, separata a singularibus, possunt tamen esse universalium in singularibus existentium', occurrit huic secunda particula. Affirmat enim illa quod definitio est rerum particularium existentium extra animam. Igitur manifeste dicit quod res significata per definitionem est res tantum particularis. — Praeterea, responsio non est ad propositum. Aristoteles non intendit ibi aliquid dicere contra Platonem, sed ostendere tantum quod ad cognoscendum animam hominis vel equi non sufficit cognoscere in universali animam, sicut

⁹⁴ Ioannes Damascenus, loco cit.

⁹⁵ Aristot., *De anima*, I, c. 1, t. 8 (402b 7—8).

⁹⁶ Averroes, *In Aristot. De anima*, I, t. 8 (ed. F. Crawford, Cambridge, Mass. 1953, 12). Haec etiam auctoritas allegatur et solvitur a Scoto, *Opus Oxoniense*, II, d. 3, q. 6, n. 8 (ed. Wadding, VI, 360).

⁹⁷ primum] pactum B.

cognitio animalis secundum Philosophum non sufficit <ad cognitionem> equi, hominis et bovis. Et probat:⁹⁸ "Animal enim universale aut nihil est aut posterius." Ergo intendit de universali communi, praedicabili de multis, sicut est 'animal' de quo ponit exemplum. Talis non fuit idea Platonis.

57. Praeterea, Aristoteles, VII *Metaphysicae*, illo capitulo 'quoniam vero de substantia perscrutatio est',⁹⁹ probat per multas rationes quod universale non est substantia. Una ratio: "Substantia uniuscuiusque est sibi propria, universale est commune." — Secundo sic: universale dicitur de multis, substantia non. Ergo etc. Ergo videtur quod non intelligit quod universale sit res extra animam. — Dicitur hic quod Aristoteles intelligit de universali quod posuit Plato, ostendendo quod non est substantia.¹ — Sed istud excluditur sufficienter per dictum Philosophi, VIII *Metaphysicae*, in principio.² Ibi enim recitat quaedam determinata in <libro> septimo. Dicit enim quod in septimo ostensum est quod 'quod quid erat esse' substantia est, et quod universale non est substantia. Sed de ideis, utrum sint substantiae, posterius est dicendum. Unde verba Aristotelis sunt: "Amplius, nec universale substantia nec genus. De ideis autem et mathematicis posterius perscrutandum", scilicet in decimo tertio libro. Ergo in septimo non intellexit de ideis cum probavit universalia non esse substantias. Praeterea, ista responsio excluditur per argumentum Aristotelis, in septimo, capitulo praeallegato,³ per quod probat universalia non esse substantias. Secundum enim argumentum est tale: universalia dicuntur de multis, substantia non. Sed illud est falsum de idea; idea enim dicitur de uno solo.

58. Alio modo dicunt alii⁴ quod Aristoteles intendit probare solum quod universalia non sunt substantiae primae. Patet per argumentum, quia substantia uniuscuiusque est sibi propria, sed substantia secunda non est propria alicui uni, secundum Philosophum, in *Praedicamentis*.⁵ Et ista responsio magis probabilis <est>, quia Philosophus in *Praedicamentis* <dicat> quod substantia prima non praedicatur de aliquo. Et in hoc fundatur secunda ratio Aristotelis in hoc septimo. Sed substantia secunda praedicatur de multis univoce, secundum Aristotelem in *Prae-*

⁹⁸ Aristot., ubi supra, nota 95.

⁹⁹ Aristot., *Metaph.*, VII, c. 13, tt. 44—45 (1038b 1—15).

¹ Videsis infra, notam 4.

² Aristot., *Metaph.*, VIII, c. 1, tt. 1—2 (1042a 1—23); verba Aristotelis, quae sequuntur, leguntur ibidem, t. 2 (1042a 21—22).

³ Videsis supra, notam 99.

⁴ Scotus, *Quaestiones in Aristot. Metaph.*, VII, q. 13, n. 16 (ed. Wadding, IV, 704).

⁵ Aristot., *Praedicamenta*, c. 5 (2a 11—14).

dicamentis. Ergo in septimo intelligit Aristoteles solum de substantia prima, non de secunda.

59. Contra istam responsionem: processus Aristotelis nihil valet, quia nihil probat. Nam in principio septimi⁶ primo dividit substantiam in quatuor: materiam, formam, compositum et universale; illo capitulo, versus principium septimi 'dicitur autem substantia' etc. Postea exsequitur membra divisionis et probat quod compositum ex materia et forma est substantia, quia et hoc manifestum est, ut dicit. Item, secundo probat materiam esse substantiam. Tertio incipit perscrutari de tertio membro divisionis, scilicet de forma, quam ipse vocat 'quod quid erat esse'; et hoc in illo capitulo 'et primum dicemus de eo logice',⁷ et ab illo loco fere usque ad finem libri, scilicet usque ad illud capitulum 'quoniam autem de substantia perscrutatio'⁸ insistit circa hoc, ad probandum formam, (scilicet 'quod quid erat esse'), esse substantiam. Postea, versus finem libri, in illo capitulo 'quoniam autem de substantia perscrutatio'⁹ incipit declarare de quarto membro divisionis, scilicet de universali, inquirendo utrum sit substantia; et gratia illius resumit divisionem substantiae quam fecerat supra, versus principium libri, in illo capitulo 'dicitur autem substantia esse'. Unde dicit ibi:¹⁰ "Quoniam autem de substantia perscrutatio est, iterum redeamus. Dicimus autem sicut subiectum substantiam esse, et quod quid erat esse, et quod ex his, universale. De duobus vero dictum est: de quod quid erat esse, et de subiecto." Et per subiectum intendit duo membra divisionis praedictae, scilicet materiam et compositum, et ideo per illa duo, de quibus dicit Aristoteles esse dictum, intelligit tria membra divisionis, et ideo in re(i veritate) de tribus est dictum. Quod autem per subiectum intelligat duo membra illius divisionis, patet per litteram immediate. Manifeste enim dicit sic:¹¹ "De duobus quidem igitur dictum est, etiam de quod quid erat esse et de subiecto, quod dupliciter subicitur: aut hoc aliquid ens, ut animal, passionibus; aut ut materia actui." Ergo per subiectum intelligit compositum, quod ipse vocat 'hoc aliquid', et hoc subiectum est passionum accidentium, cuiusmodi est animal, et per subiectum similiter intelligit materiam quae subiecta est actui. Ergo cum dicit 'de duobus dictum', intelligit etiam de tertia esse dictum.

⁶ Aristot., *Metaph.*, VII, c. 3, tt. 7—9 (1028b 34 — 1029a 36).

⁷ Aristot., ibidem, c. 4, t. 11 (1029b 12—13).

⁸ Aristot., ibidem, c. 13, t. 44 (1038b 1).

⁹ Aristot., ibidem.

¹⁰ Aristot., ibidem (1038b 1—4); Harclay citat *Metaphysicam* Aristotelis iuxta versionem Guillelmi de Moerbeke, quae edita est cum S. Thomae Aquinatis *In Metaphysicam Aristotelis Expositio*, Torino 1950.

¹¹ Aristot., *Metaph.*, VII, c. 13, t. 44 (1038b 3—6).

Et tunc immediate incipit perscrutari de quarto, <scilicet> de universali, utrum sit substantia; et probat quod non est substantia. Ergo planum est per istum processum quod de eodem universali probat hic quod non est substantia de qua substantia in illo capitulo 'dicitur autem substantia' mentionem fecerat,¹² ponendo illud quartum membrum divisionis. — Modo proba quod eodem modo debuit probare Aristoteles de primo, secundo et tertio <membro> divisionis quod non sunt substantiae sicut de quarto, <scilicet> de universali; quod tamen non facit, quia de illis tribus probat quod sunt substantiae, et de quarto probat quod non. Probatio assumpti: tam materia est substantia quam universale, secundum illud; et ita forma non est substantia sicut et universale non est substantia et compositum. Probatio: universale non dicitur esse non-substantia, per te, nisi quia non est substantia prima, et tamen vere est substantia, quia substantia secunda, sed non ita principaliter. Eodem modo et eadem ratione posset dici 'materia non est substantia', quia non est forma quae principaliter est substantia. Et est fallacia consequentis in argumento Aristotelis, secundum istam expositionem.

60. Praeterea, Aristoteles¹³ in principio divisionis supponit universalis non esse substantiam primam, ergo modo non probat. Probatio quod hoc supponit in principio: primo dividit substantiam in quatuor, quorum membrorum unum est universale, scilicet quartum; et aliud, scilicet tertium, est individuum et substantia prima. Sed certum est quod membra divisionis¹⁴ sunt distincta, et supponuntur esse distincta antequam fiat divisio. Quod autem tertium membrum sit individuum, probat. Patet, nam illud compositum ex materia et forma, quod Aristoteles vocat tertium membrum, est 'hoc aliquid' <id est> individuum demonstratum, sicut vocat eum Aristoteles in utroque loco: et in primo loco, ubi primo facit divisionem, <dicens> 'dicitur autem substantia tripliciter', et posterius in illo capitulo 'quoniam autem de substantia perscrutatio'; et est illud compositum, individuum, sensibile. Probatio: Aristoteles in illo capitulo 'dicitur autem substantia' etc., ubi primo dividit substantiam in quatuor, dicit quod de tertio membro manifestum est quod est substantia, scilicet compositum ex materia et forma. Unde dicit quod substantia ex ambabus composita aperta est, id est sensibilis, ergo individuum. Ergo non intelligit de substantia prima cum probat universale non esse substantiam.

¹² Vide supra, initio huius paragraphi.

¹³ Videsis ibidem.

¹⁴ divisionis] distinctionis B.

61. Praeterea, quaero utrum Aristoteles eodem modo accipiat substantiam cum probat materiam, formam et compositum esse substantias, quae sunt tria prima divisionis <membra>, et cum probat universale non esse substantiam. — Si dicas quod non eodem modo: ergo frustra Aristoteles repetit ‘quoniam autem de substantia perscrutatio est’, et ostensum <est> de tribus, scilicet materia, forma et composito quod sint substantiae, et modo de quarto, <scilicet> de universali perscrutandum. Nihil ad propositum, quia nulla continuatio processus. Non enim accipitur substantia eodem modo quo prius. — Si dicas: eodem modo accipit substantiam, et in probando materiam esse substantiam et formam et compositum accipit substantiam in communi, aliter non esset conclusio vera vel non probaret nisi idem de se: ergo in probando universale non esse substantiam accipit substantiam in communi, ergo universale non est ali<qu>a substantia extra animam.

62. Et confirmatur per Commentatoris expositionem, commento 44.¹⁵ Nam ipse dat causam quare Aristoteles perscrutatur de universalibus utrum sint substantiae: “Quia ipse¹⁶ declaravit quod illa substantia quam significant definitiones sunt substantiae rerum, et definitio est ex universalibus quae praedicantur de particularibus, ideo incipit perscrutari de universalibus, utrum sint substantiae rerum an non, an tantum sint substantiae rerum particularium de quibus praedicantur universalis.” Ergo supponit manifeste Aristoteles distinctionem in universale et substantiam primam particularem. Quaerit enim, secundum Commentatorem, utrum universale sit substantia rei an tantum particulare; ergo non probat universale non esse substantiam primam. Unde Commentator in eodem commento:¹⁷ “Dicendum est de universalibus, utrum sint substantiae an non. <Et dicit hoc> quia post perscrutationem de istis rebus declarabitur <quod substantia> quam significat definitio est forma rerum particularium.” Ergo ex processu Philosophi planum est quod universale non est substantia, quia nec esset nisi illa quam significat definitio, et illa substantia in re est particularis et individua. — Si forte dicatur ad processum Aristotelis quod intelligit Aristoteles de intentione in anima quod non est substantia, contra: certum est iam quod intelligit de universali quod ingreditur definitionem, et intentio non est huiusmodi. Ergo etc.

¹⁵ Averroes, *In Aristot. Metaph.*, VII, t. 44: “Cum igitur declaravit quod illa, quae significant definitiones, sunt substantiae rerum . . . sed tantum sunt substantiae particularia, de quibus praedicantur universalis” (ed. Iuntina, VIII, f. 92v).

¹⁶ ipse] sententia add. B.

¹⁷ Averroes, *ibidem* (VIII, f. 93r).

63. Secundo adducendae <sunt> auctoritates Comentatoris pro ista parte, quae sunt quasi infinitae, et in libro *Metaphysicae* et alibi. Primo, II *Metaphysicae*, commento <27>:¹⁸ "Universale non habet esse nisi secundum quod est scientia, id est secundum quod est in anima, sicut affirmativum et negativum." Haec sunt verba eius. Praeterea, eodem II libro, commento 50,¹⁹ dicit quod Aristoteles intendit quod species et universalia non sunt extra animam. Et ponit exemplum de artificialibus de quibus, ut dicit, omnes fatentur quod universalia eorum non sunt extra, alia a singularibus.

64. Sed quia illud probabiliter posset glossari secundum opinionem Platonis, ideo est alia auctoritas eiusdem, in eodem II *Metaphysicae*, commento 60,²⁰ quae glossari non potest. Dicit enim haec verba: "Cum philosophia non consideret nisi de rebus entibus, species autem non sunt de rebus entibus extra animam, ideo philosophia non considerat de istis speciebus." Illud non potest glossari de opinione Platonis, nam ideae Platonis sunt res extra animam, secundum eum.

65. Praeterea, VII *Metaphysicae*,²¹ commentis 20, 44 et multis aliis, quae longum et inutile esset pertractare, allego tamen auctoritatem eius et Aristotelis. X *Metaphysicae*²² Aristoteles sic dicit: "Si itaque nullum universalium esse substantiam est possibile, sicut in sermonibus de substantia <et> de ente dictum est in septimo, nec ipsum hoc substantiam, nec unum aliquid praeter multa possibile est esse, commune namque." Unde concludit Aristoteles quod 'unum' non est per se, quia universale est, sicut 'ens'. Modo, Commentator commento 6 dicit,²³ haec verba exponendo: "Deinde dicit 'neque possibile unum aliquid esse praeter multitudinem', id est, quia impossibile est ut aliquod commune pluribus sit substantia, nisi secundum quod est in anima tantum." Satis plana auctoritas, ut videtur. — Alibi videtur dicere contrarium in multis locis, et contrarium sit, non curo.

66. Secundo allegandae sunt auctoritates Avicennae, V *Metaphysicae* et VII,²⁴ sed omitto propter prolixitatem. Patent enim inspicienti.

¹⁸ Averroes, *In Aristot. Metaph.*, I, t. 27 (ed. Iuntina, VIII, f. 9v).

¹⁹ Averroes, *In Aristot. Metaph.*, I, t. 34 (ed. Iuntina, VIII, f. 11r).

²⁰ Averroes, *In Aristot. Metaph.*, I, t. 44 (ed. Iuntina, VIII, f. 12v); exemplar Henrici, ut apparet, aliter divisum erat ac nostrum.

²¹ Averroes, *In Aristot. Metaph.*, VII, tt. 20 et 44 (ed. Iuntina, VIII, ff. 8or, 92v—93r).

²² Aristot., *Metaph.*, X, c. 2, t. 6 (1053b 16—19).

²³ Averroes, *In Aristot. Metaph.*, X, t. 6 (ed. Iuntina, VIII, f. 12or).

²⁴ Cf. Avicenna, *Metaph.*, V, c. 1, ubi loquitur de triplici acceptione universalis, et VII, cc. 2 et 3, ubi arguit contra ideas Platonis (ed. Venetiis 1508, ff. 86v, 96r—97r).

<Responsio auctoris ad quaestionem>

67. Dico ergo, propter rationes istas, quod in re extra animam nulla est res nisi singularis, et communitas non est in re extra intellectum, ita intelligendo quod sit in re aliquid praeter quodlibet singulare. Hoc dico pro tanto, quia hoc nomen 'res' <ita> est nomen commune et appellativum sicut 'homo', ut infra magis dicitur. Et ideo hoc nomen 'res' potest supponere pro hac re vel pro illa re disiunctive, vel pro supposito disiunctim. Sed tunc non supponit pro²⁵ aliqua re quae ponit in numerum cum alia re, immo dico quod condicio necessaria cuiuslibet existentis extra animam est singularitas. Hoc dico pro verbis Avicennae, V *Metaphysicae*,²⁶ dicentis quod res non est universalis de se nec particularis, hoc est quidditative. Tamen ego <dico> quod singularitas <et> etiam incommunicabilitas est proprietas rei existentis extra, eam necessario consequens, sive posterius natura sive simul vel prius, non curo.

68. Istud confirmo adhuc sic: illud quod non communicat cum aliquo alio illud est singulare sicut aliud est <singulare>; hoc est certum. Sed pone quod humanitas sit alia res a Sorte et a Platone: certum est quod <talibus> humanitas est incommunicabilis. Probatio: nam certum est quod communicabile <non> est incommunicabile. Ista propositio est vera, semper accipiendo 'communicabile' pro intentione; nullum enim suppositum est communicabile. Et per consequens si communicabile est in re ex natura rei unum per se praeter individua, communicabile ex natura esset <in>communicabile, ergo singulare, tam singulare sicut Sortes. Et probatur per simile in²⁷ conceptu: nam licet 'ens' sit communius quam alia entia, tamen conceptus entis est unus conceptus singularis in genere conceptuum sicut conceptus Sortis, (et hoc accipiendo conceptum pro qualitate mentis), cuius ratio non est alia nisi quia distinguitur ille conceptus a quolibet alio. Ergo eodem modo, cum res illa (si ponatur) est quaedam res distincta contra omnem rem, in se est singularis sicut quaelibet alia.

69. Praeterea, ens et unum convertuntur, secundum Philosophum, X *Metaphysicae*.²⁸ Unde ens reale, unum reale; ens rationis, unum ratione. Modo unum, quocumque modo accipiat, sive pro principio numeri sive prout convertitur cum ente, dicitur unum ab indivisione. Eo enim dicitur unum quod est in se indivisum et ab aliis divisum, secundum Aristote-

²⁵ pro] de B.²⁶ Avicenna, *Metaph.*, V, c. 1 (ed. Venetiis 1508, f. 86v).²⁷ in] modo B.²⁸ Aristot., *Metaph.*, X, c. 2, tt. 7 et 8 (1053b 25; 1054a 13); magis ad verbum Boethius, *De persona et duabus naturis*, c. 4 (PL 64, 1346 A).

lem, IV *Metaphysicae*.²⁹ Nam unum opponitur multo, quocumque modo accipiat unum. Modo 'commune', in eo quod tale est, est multum et divisum. Probatio: in creaturis saltem nihil potest communicari multis nisi dividatur in multis. Ergo commune multis est divisa³⁰ in multa; ergo commune non est unum sed multum; ergo non est ens sed entia. Ideo dicit Boethius in suo libello *De unitate et uno*:³¹ "Omne quod est, ideo est quia unum est."

⟨Responsio ad rationes partis affirmativae⟩

70. Ad rationes³² (ad primam et ad multas alias) uno modo respondeo. Cum accipitur primo 'unitas est condicio mensurae', respondeo: fallacia aequivocationis est de unitate. Circa quod est intelligendum quod unitati contrariatur distinctio, nam unitatem (secundum Aristotelem, V *Metaphysicae*, capitulo *De eodem*)³³ et identitatem³⁴ pro eodem habeo. Sed convenientiae vel similitudini vel conformitati, vel quocumque alio nomine vocetur, opponitur disconvenientia vel dissimilitudo vel aliquod huiusmodi. Et tunc dico ulterius quod hoc nomen 'unitas' est aequivocum, et extenditur in usu auctorum loquentium aliquando ad significandum conformitatem et convenientiam vel similitudinem, cum tamen convenientia vel similitudo non sit unitas aliqua. Hic sunt duo tunc probanda. Primum, quod unitas aliquando, immo multoties, accipitur pro sola similitudine vel convenientia vel conformitate. Secundum, quod convenientia non est unitas vel identitas, sed includit oppositum identitatis, scilicet distinctionem.

71. Primum non potest probari per rationem, sed tantum per auctoritatem, quia significata nominum dependent ex institutione auctorum. Modo probo, tam per auctoritates philosophorum quam ⟨per⟩ auctoritates theologiae, quod aliquando dicuntur eadem vel unum quae³⁵ solum conveniunt vel concordant vel aequipollent. Et illud primo probo ex dictis illorum qui tenent partem adversam. Primo, nam ipsi in aliquo loco,³⁶ et bene ut mihi videtur, credunt demonstrare contra unitatem

²⁹ Aristot., *Metaph.*, IV, c. 5, t. 11 (1016a 32—34).

³⁰ divisa] indivisa B.

³¹ Potius Dominicus Grundisalvi, *De unitate* (ed. P. Correns, *Beiträge zur Geschichte der Philosophie des Mittelalters*, I, Münster 1891, 3; inter opera Boethii, PL 63, 1075).

³² Supra, nn. 4—6.

³³ Aristot., *Metaph.*, V, c. 9 (1018a 3—12).

³⁴ identitatem] de identitate B.

³⁵ quae] quia B.

³⁶ Scotus, *Opus Oxoniense*, II, d. 2, q. 6, nn. 7—9 (ed. Wadding, VI, 1928.).

loci numeralem quod non sit idem locus numero alicuius corporis fixi et³⁷ moti in aëre et <in> aqua fluente. Cum ergo opponitur contra eos quod nunquam possit corpus exiens de eodem loco redire ad eundem; et similiter cum opponitur contra eos de immobilitate loci quam affirmat Aristoteles in definitione loci,³⁸ respondent quod ibi accipitur unitas loci pro aequivalentia. Verbi gratia, esto quod virga sit nunc hic fixa immobiliter et aër circumstans fluat, in rei veritate est alius locus omnino numero quam prius, tamen in aequivalenti idem locus est, quia locus qui modo circumdat <virgam> tantum valet quantum praecedens, quia locus non quaeritur a naturali nisi propter motum ad locum, secundum Aristotelem, IV *Physicorum*, capitulo *De loco*.³⁹ Modo locus qui nunc est tantum valet ad inchoandum eundem motum localem vel terminandum quantum praecedens locus, quia aequalem respectum habet ad polos mundi et centrum terrae sicut alius locus; dico aequalem, nullo modo eundem respectum, et ideo dicuntur verba semper esse in eodem loco. Et ponunt exemplum de voce et verbo vocali.⁴⁰ Nam dicunt quod communis modus loquendi est dicere 'idem verbum quod ego dixi ille dixit'. Quod nullo modo est verum nisi pro aequivalenti, <nam> non est unitas aliqua verborum.⁴¹ — Illud est optime dictum. Eodem modo dico ego in proposito quod unitas significat aliquando aequalitatem vel aequivalentiam vel convenientiam.

72. Et sic dico pro primo et secundo argumento de unitate mensurae et mensurati;⁴² et de unitate speciei secundum quam est comparatio, pro secundo argumento, et <de> unitate fundamenti.⁴³ Similiter pro quarto argumento:⁴⁴ nam in omnibus istis accipitur unitas pro convenientia sola vel concordantia vel analogia vel proportionem vel pro aequivalentia, secundum modum loquendi vulgatum. Verbi gratia in quarto argumento de unitate fundamenti similitudinum, cum dicit Aristoteles 'similia sunt quorum qualitas una', 'unum' illius <dicti> accipitur pro aequivalenti, sicut accipitur in unitate loci, nam quantum ad similitudinem faciendam tantum valent duae albedines eiusdem gradus in duobus suppositis sicut si una albedo esset in duobus suppositis. Eodem modo accipitur unitas pro concordantia vel convenientia vel

³⁷ et] non *add.* B.

³⁸ Aristot., *Physica*, IV, c. 4, t. 41 (212a 20).

³⁹ Aristot., *Physica*, IV, c. 1, t. 1 (208a 27—32).

⁴⁰ vocali] locali B.

⁴¹ Verba Scoti videsis in *Opere Oxoniensi*, II, d. 2, q. 6, n. 9 (ed. Wadding, VI, 193).

⁴² Supra, nn. 4—6.

⁴³ Supra, n. 8.

⁴⁴ Ibidem.

conformitate in primo et secundo argumento de unitate mensurae et de unitate comparabilem.

73. Idem probo per dicta philosophorum. Aristoteles, V *Metaphysicae*,⁴⁵ ponit multos modos unius, inter quos dicit quod aliqua dicuntur unum in genere remoto et non in genere propinquo, sicut isosceles et isopleuros dicuntur una figura, non tamen unus triangulus. Qualiter accipitur ibi unitas? Certe, solum pro convenientia, non pro unitate proprie dicta reali, nam certe, si sint realiter duo trianguli, erunt etiam duae figurae realiter. Nam Augustinus, VII *De Trinitate*,⁴⁶ dicit quod Abraham et Isaac et Iacob sunt tres homines, sunt tria animalia. Multiplicato <enim> speciali multiplicatur generale, secundum Augustinum. Qualiter <isosceles et isopleuros> sunt una figura? Certe, solum quia conveniunt in eadem communi differentia figurae et distinguuntur per diversas differentias speciales figurae, puta trianguli. Ergo nullo modo potest ibi accipi unitas nisi pro convenientia tantum, non pro unitate reali proprie dicta.

74. Praeterea, certum est quod illa quae non sunt unum in genere generalissimo non sunt realiter et proprie unum, et tamen quidam modus unitatis est quod aliqua sunt <unum> proportionem vel analogiam. Unde Aristoteles, in eodem capitulo⁴⁷ dicit quod aliqua sunt unum numero, unum genere et unum specie, unum proportionem et analogiam; et subdit quod ea quae sunt unum proportionem non oportet quod sint unum genere. Sed certum est quod unitas quae non est generis, non est nisi similitudo tenuissima et non unitas realis proprie dicta. Et notandum quod textus commenti ibidem, commento 12, habet 'aequalitatem' ubi nos habemus 'unum proportionem'.⁴⁸ Ergo unum aequalitate non oportet esse unum genere, et per consequens in nulla re unum vere. Aequalitatem autem vocat aequivalentiam vel aequipollentiam.

75. Praeterea, illud idem ostenditur per multas auctoritates Scripturae sanctae. Nam unum accipitur pro simili et conformi frequentissime. Et illas <auctoritates> Scripturae ponit Boethius in libro *De unitate et uno*,⁴⁹ et ponuntur similiter in *Decretali*, scripta contra Abbatem

⁴⁵ Aristot., *Metaph.*, V, c. 6, t. 10 (1016a 25—34).

⁴⁶ August., *De Trinitate*, VII, c. 4, n. 7 (PL 42, 939); *Corpus Christ. Series Lat.* (50, 255).

⁴⁷ Aristot., *Metaph.*, V, c. 6, t. 12 (1016b 31 — 1017a 3).

⁴⁸ Aristot., ibidem. Versio arabico-latina habet: "Et non omnia quae sunt unum secundum aequalitatem, sunt unum secundum genus"; versio vero G. de Moerbeke: "Et quaecumque unum proportionem, non omnia genere".

⁴⁹ Potius Dominicus Gundisalvi, *De unitate et uno* (ed. P. Correns cit., p. 10), ubi allegantur I Ioan. 5, 8; Act. 4, 32; I Cor. 6, 16.

Ioachim, 'Damnamus'⁵⁰. Dicitur enim in Actibus Apostolorum:⁵¹ *Multitudini credentium erat <cor> unum et anima una*. Et illa unitas pro solo consensu accipitur secundum *Decretalem*. Secundum Boethium etiam.⁵² Et illo modo voluit Ioachim quod Pater et Filius et Spiritus <Sanctus> essent unum, secundum quod imponitur sibi in *Decretali*.

76. Praeterea, Apostolus, I ad Cor. 6 (et allegatur in *Decretali* et similiter a Boethio): *Qui adhaeret meretrici unum corpus efficitur*.⁵³ Et: *Qui adhaeret Domino unus spiritus est cum illo*.⁵⁴ Quomodo est ut simus unus spiritus cum Domino? Nunquam realiter; planum est quod non, sed tantum quarto modo, posito ab Aristotele, V *Metaphysicae*,⁵⁵ scilicet proportionem vel consensu.

77. Praeterea, secundum Boethium,⁵⁶ aliqua sunt unum quia unum signatum, id est efficiunt sacramentum quod est sacrae rei signum,⁵⁷ secundum quod dicitur I Ioan. 5: *Tres sunt qui testimonium dant in terra, Spiritus, aqua, sanguis, et hi tres unum sunt*.

78. Patet ergo quod unitas accipitur pro convenientia tantum, et tunc per hoc dico ad primum et secundum et quartum,⁵⁸ quia concedo quod est unitas et convenientia realis inter mensuram et mensuratum inter comparabilia; pro secundo argumento: inter similia. Sed propter hoc non habent aliquam unam rem communem eis, distinctam ab omnibus. Nec convenientia aliqua realis, quantumcumque magna, hoc arguit, immo oppositum. Si enim sunt convenientia, ergo non sunt unum in aliquo reali tertio. Et hoc erat quod proponebatur secundo probandum⁵⁹ per argumentum. Probo ergo: convenientia vel similitudo includit oppositum identitatis vel unitatis, scilicet distinctionem. Et hic sunt modi duo dicendi Doctorum. Quidam⁶⁰ enim dicunt quod cum in similitudine et convenientia sit necessario unitas et distinctio, quod distinctio est magis essentialis quam unitas. Alii autem tantum e converso fatentur quod similitudinem vel convenientiam necessario

⁵⁰ *Decretales Gregorii IX*, I, c. 2 (ed. Ae. Friedberg, II, 6s.).

⁵¹ Act. 4, 32.

⁵² Seu Dominicum Gundisalvi, loco cit.

⁵³ I Cor. 6, 16.

⁵⁴ I Cor. 6, 17.

⁵⁵ Aristot., ubi supra, n. 74.

⁵⁶ Potius secundum Dominicum Gundisalvi, loco cit.

⁵⁷ Haec definitio est Augustini, *De civit. Dei*, X, c. 5 (PL 41, 282); et citatur a Petro Lombardo, *Liber Sententiarum*, IV, d. 1, c. 2 (ed. Quaracchi 1916, 745).

⁵⁸ Supra, nn. 4—6 et 8.

⁵⁹ probandum] pro argumentum add. B.

⁶⁰ Ita Scotus, *Ordinatio*, I, d. 19, q. 2, n. 62 (ed. Vaticana, V, 295).

sequitur distinctio. Et certum est quod si convenientiam consequitur necessario ex⁶¹ natura rei distinctio, unitas opposita illi distinctioni nullo modo comparavit convenientiam. Et ideo si sit unitas ibi, erit unitas aequivoca scilicet convenientia vel similitudo. Et huic non opponitur distinctio, immo includitur distinctio. Sed oppositum huius unitatis, scilicet convenientiae, vocatur dissimilitudo vel disconvenientia, non distinctio. Ideo quaecumque opinio teneatur, sufficit mihi. Tamen probabilius potest probari quod convenientia et similitudo includit per se et in quid distinctionem, quia similitudo relatio est. Relativum autem illud quod est, ad alterum est; ergo alteritas est de essentia relativorum; ergo distinctio. Unitas ergo, quando⁶² accipitur 'ista sunt unum in specie, unum in genere, ex natura rei', accipitur pro convenientia sola ad quam non sequitur unitas rei tertiae, communis his. Oppositum(!)

79. Ad tertium argumentum⁶³ quod habet specialem difficultatem. Cum arguitur 'hic est praedicatio superioris de inferiori: Sortes est animal', concedo. Et dico quod superioritas est tantummodo in intellectu, id est 'superius' et 'inferius' tantum⁶⁴ convenit rei in comparatione ad intellectum. Nam secundum Avicennam, V *Metaphysicae*,⁶⁵ una et eadem res est sub uno respectu singularis, sub alio respectu universalis.⁶⁶ Hoc modo dico quod omnis res posita extra animam est singularis eo ipso. Et haec res singularis nata est movere intellectum ad concipiendum ipsam confuse et ad concipiendum distincte. Et voco conceptum confusum illum conceptum quo intellectus non distinguit hanc rem ab illa; sicut Sortes movet intellectum ad concipiendum eum esse hominem, et per illum conceptum non distinguit intellectus nec distincte cognoscit Sortem a Platone. Modo ego dico quod superius ad Sortem, puta 'homo' et 'animal', non significat rem aliam nisi rem quae est Sortes, ut tamen concipitur confuse, id est movet intellectum ad concipiendum ipsum modo confuso. Et sic dico quod hic 'Sortes est homo' est praedicatio superioris de inferiori; quod non est aliud nisi quod Sortes est Sortes, id est Sortes absolute est Sortes, ut tamen confuse intellectus; et hoc est idem 'Sortes est animal' vel 'Sortes est homo'. Unde in rei veritate Sortes est homo, Sortes est animal, et corpus et substantia, et omnia

⁶¹ ex] est B.

⁶² quando] quam B.

⁶³ Supra, n. 7.

⁶⁴ superius . . . tantum] superius tantum et inferius B.

⁶⁵ Avicenna, *Metaph.*, V, c. 1 (ed. Venetiis 1508, f. 87r).

⁶⁶ universalis] singularis B Reliqua usque ad finem paragraphi verbotenus recitantur a Guillelmo de Ockham, *Scriptum in 1 Sent.*, d. 2, q. 7 (ed. St. Bonaventure, N. Y. 1970, 228). Textus ab Ockham citatus perfectior est.

ista in re sunt unum, nec est superius nec inferius nisi in comparatione ad intellectum considerantem, modo praedicto.

⟨Dubia circa solutionem tertii argumenti⟩

80. Sed quia bene dubitare est solutio dubitatorum, arguo contra istam responsionem ut magis pateat veritas. Primo sic: tu dicis quod superioritas tantum est in intellectu considerante: ergo cum animal significat aliquid superius ad Sortem, significat mentis conceptum in anima existentem. Ergo cum animal, quod est superius, praedicatur de Sorte, conceptus mentis praedicatur de Sorte; ergo Sortes est conceptus mentis; ergo est qualitas, quia conceptus mentis qualitas est. Et super istam formam currunt multa argumenta.

81. Praeterea, secundo sic:⁶⁷ etsi tu non concedas quod animal ibi significat mentis conceptum praecise, sed Sortem ut mente concipitur confuse, ergo animal est Sortes confuse conceptus, et nihil aliud significat. Et animal de Platone praedicatur, quia aliter non esset superius ad Sortem, ergo Plato est Sortes confuse conceptus, quia Plato est animal, et animal non est aliud quam Sortes confuse conceptus. Consequens est falsum, ergo entecedens.

82. Ad ista respondeo. Videtur mihi ⟨quod⟩ sophismata sunt. Respondeo ad primum et dico sicut prius:⁶⁸ cum dicitur 'Sortes est animal', quantum ad rem idem est ⟨ac⟩ 'Sortes est Sortes', ut solet dici antiquitus:⁶⁹ verificatur ut ⟨illud⟩ idem, ⟨quando aliquid⟩ praedicatur ut superius. Quid ergo? Dico quod 'animal' non significat mentis conceptum nec rem nisi aequivoce. Unde nomen aequivoce imponitur ad significandum rem et mentis conceptum; tamen nomen imponitur ad significandum rem secundum quod illa res concipitur ab impositore. Hoc est certum. Et quando res illa concipitur confuse, non distincte, supponit sibi scilicet unum nomen, scilicet 'homo' vel 'animal'; et quando distincte concipitur, sicut distincte est, tunc vocatur 'Sortes'. Tunc ad formam dico quod 'animal' non significat conceptum mentis sed rem cum sic concipitur. Et mirabile videtur mihi de multis argumentis quae sic procedunt quod 'Sortes erit qualitas mentis' et huiusmodi. ⟨Talia enim⟩ nullam habent apparentiam. Illi qui dicunt quod commune et universale est in conceptu tantum, non dicunt illud esse qualitatem ⟨quod conceptus ille repraesentat, sed entia in anima⟩, inter quae illa qualitas mentis singularis res est, ita singularis sicut

⁶⁷ Paragraphi 81 et 82 allegantur ab Ockham, loco cit., pp. 241s.

⁶⁸ Supra, n. 79.

⁶⁹ Videsis supra, n. 51, in fine.

Sortes in se. Ideo nullus hoc intendit; frustra ergo fiunt tot argumenta de hoc.

83. Circa quod est intelligendum, secundum Avicennam,⁷⁰ quod ille conceptus qui est quaedam qualitas animae, puta species intelligibilis, scilicet(!) actus intelligendi vel intentio, secundum multos, est in se res quaedam singularis; sed est universalis in repraesentatione, quia multa repraesentat, confuse tamen non distincte, quia indifferenter se habet ad repraesentandum Sortem sicut Platonem, et quantum ad hoc est universalis. Eodem modo a parte rei repraesentatae: illa licet in se sit singularis, quantum ad repraesentationem passivam est universalis. Quod non est aliud nisi quod confuse et distincte est cognoscibilis. Unde et Avicenna dicit haec verba V *Metaphysicae*, capitulo primo, versus finem,⁷¹ loquens de conceptu mentis: "Haec autem forma, quamvis in comparatione individuorum sit universalis, tamen in comparatione animae singularis, in qua imprimitur, individua est. Ipsa enim una est ex formis quae sunt in intellectu. <Et> quia animae singulae sunt multae numero."

84. Tunc dico ultra quod 'animal' non significat rem <aliam> cum illo conceptu, quia <tunc> esset animal ens per accidens, aggregatum ex entibus diversarum rationum, sed significat rem tantum eandem quam significat Sortes, ita quod conceptus mentis a parte Sortis non est significatum nec pars significati huius nominis 'animal', sed tantum causa sine qua non. Possum enim, si essem impositor nominum, ad placitum considerare Sortem quando ita concipitur ut intellectus non distinguat eum a Platone, et tunc possum imponere sibi nomen 'homo' vel 'animal', sicut in nominibus synonymis. Quantum ad hoc non est differentia. Hoc enim nomen 'petra' non significat 'tritum pede', sed rem eandem quam 'lapis', sed ratio propter quam imponebatur ab imponente fuit illa, scilicet 'teri pede'. Ad formam ergo dico quod non sequitur, scilicet quod Sortes sit conceptus mentis, licet sit animal, quia 'animal' non significat mentis conceptum sed rem; sed non imponitur ad significandum rem nisi cum taliter concipitur vel quia taliter natum est concipi.

85. Ad secundum argumentum.⁷² Cum arguitur quod 'Sortes est Plato ut confuse concipitur', dico quod non sequitur, sed est fallacia accidentis ex variatione medii. Quando enim dico 'animal non est aliud nisi Sortes cum concipitur confuse' et tu arguis 'sed Plato est animal,

⁷⁰ Vide notam quae sequitur.

⁷¹ Avicenna, *Metaph.*, V, c. 1 (ed. Venetiis 1508, f. 87r).

⁷² Seu ad secundum dubium, supra, n. 81.

ergo est Sortes conceptus confuse' medium variatur, nam cum dicitur in minore 'Plato est animal' de alio animali est sermo quam in maiori. Non est enim aliquid commune eis. Unde sicut animal significat Sortem confuse intellectum ita animal significat Platonem confuse intellectum, sed non idem a parte rei, sed aliud. Tam <enim> sunt aliud in animalitate quantum inter se; ita sunt duo animalia, duae substantiae sicut duo individua. — Tu dicis: quomodo est animal magis indifferens quam Sortes? Dico quod in re non est maior indifferentia, sed res illa cum vocatur animal habet in anima conceptum indifferentem indifferentia repraesentationis non indifferentia praedicationis, quia conceptus ille de uno⁷³ praedicatur; ergo superius est, quia in comparatione ad illum conceptum non distinguitur Sortes a Platone. Et licet in illo conceptu sit indifferentia, hoc est dictu intellectus per hunc conceptum non distinguit inter illa, tamen praedicatio unius de alio non est vera, quia veritas sermonum dependet ex veritate rei in se, non ex consideratione nostri intellectus. "In eo enim quod res est vel non est, secundum Aristotelem,⁷⁴ est oratio vera vel falsa." Ideo licet intellectus per illum conceptum non distinguat, tamen quia in re sunt distincta, praedicatio unius de alio non est vera. — Et sic patet ad quatuor prima argumenta.

<Responsio ad reliqua argumenta opinionis affirmativae>

86. Ad quintum argumentum⁷⁵ de unitate obiecti sensus visus. Et idem <argumentum> posset fieri de intellectu,⁷⁶ quia nulla potentia cognoscitiva facit suum obiectum, sed magis praesupponit illud; ergo intellectus praesupponit obiectum suum; ergo non est factum ab intellectu; ergo est in re et est universale; ergo etc. Respondeo primo pro sensu: dico quod visus non habet aliquod obiectum primum adaequatum sibi quod cognoscatur a sensu,⁷⁷ sed primo cognoscit album, nigrum et alia. Nec cognoscit colorem in communi, sed intellectus abstrahit ab hac specie et illa, sensus non. Et cum dicit⁷⁸ 'nisi haberet obiectum adaequatum unum, non esset una potentia', respondeo: potentia in se est formaliter una, non necessario ab unitate obiecti formaliter. Tamen concedo quod necesse est albedinem et nigredinem convenire in aliqua

⁷³ uno] nullo B.

⁷⁴ Aristot., *Praedicamenta*, c. 5 (4b 8—10).

⁷⁵ Supra, n. 9.

⁷⁶ Quod revera facit Scotus, *Opus Oxoniense*, II, d. 3, q. 1, n. 2 (ed. Wadding, VI, 335).

⁷⁷ a sensu] consensu B.

⁷⁸ Hoc non dicit Scotus in argumento cui Henricus hic respondet.

una ratione formali ad hoc quod sint obiecta unius potentiae,⁷⁹ sed non est necesse quod illa ratio communis sit cognita ab illa potentia, sed ab intellectu, qui est potentia superior.

87. Et quando probatur quod sensus non cognoscit singulare, quia tunc distingueret unum radium ab alio,⁸⁰ dico quod sensus⁸¹ necessario cognovit rem quae est singularis et non aliam, sed utrum sit singularis vel universalis non cognovit sensus, (nihil ad eum), et intellectus sequens sensum in hoc potest errare, et erraret nisi haberet adminiculum aliunde quam <ab> illo sensu.

88. Praeterea, argumentum nimis concedit, nam si argumentum valeat, probo eodem modo quod visus non cognovit album nec nigrum, nam possibile est album et nigrum esse in tali dispositione quod visus non distinguit, cum tamen sint in re vere distincta. Primo: nam miraculose fiat, (sicut et ipsi⁸² arguunt per miraculum), quod duo corpora, unum album et aliud nigrum, sint in eodem loco virtute divina: visus non distingueret, quia albedo et nigredo sub una pyramide immutabunt visum. Item, sine miraculo: si res alba videatur per medium coloratum, visus ostendet illud esse sub colore medii, cum tamen non sit; patet in re quae videtur per medium vitri colorati; apparet enim <sub> colore vitri.

89. Item, Alhazen, secundo libro,⁸³ probat quod multa sunt quae requiruntur ad visionem praeter potentiam et organum sanum et medium dispositum et obiectum propositum in se. Multa enim sunt extrinseca quae requiruntur, sicut distantia, situs, propinquitas, quies, quae omnia impediunt visionem. Unde quasi novem sunt, secundum ipsum. Et patet manifeste de motu. Exemplum Alhazen de circulo colorato diversis coloribus:⁸⁴ si velociter moveatur, visus iudicabit colorem unitum nec discernet; patet ad sensum. — Cum dicis⁸⁵ 'sensus non decipitur circa proprium obiectum', Commentator respondet:⁸⁶ Verum est, ut in pluribus. Ipse dicit verum: Positis illis quae sunt necessaria ad visionem, non decipietur. Et illa sunt multa extrinseca praeter obiectum et potentiam.

⁷⁹ potentiae] positione(?) B.

⁸⁰ Scotus, supra, n. 10.

⁸¹ sensus] consensus B.

⁸² Supra, n. 12.

⁸³ Alhazen (Ibn al-Haitham), *Opticae thesaurus*, II, c. 14 (ed. Basileae 1572, 34).

⁸⁴ Ibidem, 36.

⁸⁵ Scotus, supra, n. 12, ubi et auctoritas Aristotelis.

⁸⁶ Averroes, *In Aristot. De anima*, II, t. 63 (ed. Iuntina, VI, f. 139r; ed. F. S. Crawford, 225).

90. Ad illud de intellectu: 'nulla potentia cognoscitiva facit suum obiectum', concedo. Et ideo potentia cognoscitiva intellectiva non facit universale suum obiectum, sed potius intellectiva <activa> hoc facit, et non est in re ex natura rei. Sed non omnis potentia intellectiva est cognoscitiva, quia intellectus agens non cognovit(!) in quantum huiusmodi; et intellectus agens facit universalitatem in rebus, secundum Commentatorem, II *De anima*,⁸⁷ et per consequens parat obiectum intellectivae potentiae passivae.

91. Ad sextum⁸⁸ patet per praedicta. Potentia generativa assimilatur rei productae in termino formali productionis, id est generationis; sed nulla est ibi unitas realis proprie loquendo nisi per unitatem intelligas similitudinem et convenientiam.

92. Ad septimum,⁸⁹ cum dicitur 'ab ultimis distinctivis etc.; si ergo Sortes et Plato se totis⁹⁰ differunt, nihil⁹¹ commune ab eis potest abstrahi; sed data opinione se totis⁹² differunt, ergo quaelibet res est proprietas distinctiva', dico quod propositio, ut⁹³ est accepta in re, non est vera. Ab illis <enim> quae sunt ultima distinctiva in re, <et> quae non sunt unum in aliqua re, nihilominus potest abstrahi aliquod commune eis, quia talia possunt esse similia vel convenientia, ideo unus conceptus communis potest correspondere utrique a parte intellectus.

93. Sed ad probationem,⁹⁴ cum arguitur 'si convenirent in aliquo et distinguerentur, alio et alio necessario convenirent et distinguerentur, et per consequens non essent ultima distinctiva, quia per aliquid essent distincta', respondeo: nego assumptum. Immo, eodem conveniunt et distinguuntur, sicut supra dictum est ad primum argumentum,⁹⁵ quia convenientia includit distinctionem. Sed contrarium convenientiae est disconvenientia. Et tunc dico quod impossibile est quod eodem quo conveniunt quod(!) in eodem disconveniant. Et ego dico quod Sortes et Plato in nullo disconveniunt quae pertinent ad naturam speciei hominis vel singularis hominis, et tamen in toto distinguuntur. Vel si Sortes et Plato in aliquo non sunt similia, illud non pertinet ad naturam humanam

⁸⁷ Averroes, *In Aristot. De anima*, I, t. 8 (ed. Iuntina, VI, f. 109v; ed. F. S. Crawford, 12).

⁸⁸ Supra, n. 13.

⁸⁹ Supra, n. 14.

⁹⁰ totis] totum B.

⁹¹ nihil] nisi B.

⁹² totis] totum B.

⁹³ ut] non B.

⁹⁴ Supra, n. 15; quod ibi vocatur 'septimo', ac si esset novum argumentum.

⁹⁵ Supra, nn. 70 et 78.

per se, sed est accidens. Et ego dico quod singularitas <et> indivisio pertinet ad naturam humanam positam in effectum.

94. Ad octavum argumentum:⁹⁶ 'Christus assumpsit naturam et non suppositum', dico quod Christus assumpsit naturam realem, et tamen hanc singularem eandem totam (sine additione) quam modo <habet> posset deponere, quae tamen deposita sine aliquo addito per se subsisteret; et tamen Christus non assumpsit suppositum aliquod quod substiterat⁹⁷ prius quam assumebatur natura, sed modo assumpta subsistit in Verbo, quia dependet ad Verbum actualiter, dependentia illa qua dependet natura ad suppositum. Quae tamen natura apta nata est non dependere sed subsistere per se, nullo sibi addito vel remoto, <et> de se. Et tunc ad formam dico quod suppositum, sic accipiendo, non addit super naturam nisi non-dependentiam actualem et non-dependentiam aptitudinalem. Ideo non est alia res suppositum et natura. Nec probatur per argumentum hoc, sed tantum quod Christus assumpsit naturam non independentem sed dependentem ad suppositum Verbi.

95. Ad nonum argumentum,⁹⁸ quod de auctoritate Boethii est in libro *De duabus naturis*, et ad auctoritatem Aristotelis in capitulo *De substantia*, quia in idem redeunt, simul respondeo. Tu dicis: isti auctores dividunt substantiam in universalem et particularem, id est substantiam primam et secundam. Dico quod in re non est aliqua substantia prima et secunda, sed in modo concipiendi tantum. Et quando arguitur 'Aristoteles dicit quod substantia prima maxime est substantia et substantia secunda minus; et inter substantias secundas species sunt magis substantiae quam genera, quod non est verum de intentione tantum, ergo de re', dico quod substantia ibi accipitur a substando praedicatis secundum quod Aristoteles exponit⁹⁹ quod species pluribus subiacet, scilicet ordine praedicabilium, quam genus, ideo species magis <est> substantia quam genus, et genus subalternum magis quam genus generalissimum. Modo ego <dico> quod ipse vocat substantiam secundam rem confuse conceptam, et quanto magis confuse concipitur minus est substantia, id est minus est subiecta in propositione, et quanto magis distincte concipitur tanto magis subicitur et tanto magis est substantia, cum tamen eadem res sit. Unde substantia non induit rationem substantiae secundae, videlicet speciei, nec generis nisi secundum quod concipitur ab intellectu nostro. Immo, videtur mihi quod si substan-

⁹⁶ Supra, n. 16.

⁹⁷ substiterat] subsisteret B.

⁹⁸ Supra, n. 17.

⁹⁹ Aristot., *Praedicamenta*, c. 5 (2b 5 — 3a 5).

tia secunda esset alia res a substantia prima, quod oppositum esset verum, quia substantia secunda magis esset substantia quam prima, et substantia in <genere> generalissimo esset maxime substantia, et propinquius sibi esset magis substantia et remotius minus. Probatio: illa substantia magis est substantia quae est substantia mera et pura quam illa quae significat substantiam et aggregatum ex substantia et alio quod est alia res a substantia, sic<ut> est corpus. Probatio: substantia in generali tantum significat substantiam; corpus alia res est, per te, a substantia; ergo corpus vel significat omnino aliam rem a substantia vel aggregatum aliquid ex substantia et ex¹ alio quod est aliud a substantia; ergo minus est substantia quam substantia-genus, et sic descendendo ad species et individua: illa minime erunt substantiae.

96. Ad decimum,² cum arguitur quod 'subiectum scientiae erit universale; et scientiae realis subiectum erit ens reale extra animam', respondeo: dico quod subiectum scientiae realis res quidem est et non ratio; sed res ibi non habet suppositionem <determinatam>, sed supponit disiunctim et confuse tantum, sicut hic 'omnis homo est animal', 'animal' supponit confuse tantum. Unde neque haec res est subiectum neque alia res est subiectum, nec aliqua res una extra animam, sed in universali 'res'. Cuius ratio est quia necessario de re eo modo est scientia et passio demonstrata quomodo occurrere potest intellectui: quia <enim> intellectus apprehendit confuse, de eo confuse apprehenso ostendit passionem et facit scientiam.

97. Et cum arguitur in contrarium,³ primo sic 'secundum Aristotelem de subiecto scientiae oportet praesupponere quid est et quia est; de singulari non oportet hoc praesupponere, quia qua ratione de uno singulari et <de> alio', respondeo: dico quod eo modo quo est scientia de singulari eo modo oportet praecognoscere quid est et quia est de eo. Et quomodo est hoc? Non de hoc singulari nec de illo nec de aliquo, sed sub disiunctione ad aliud, hoc vel illud vel aliquod, nam intellectus non alio modo apprehendit subiectum scientiae nisi confuse, et constat sibi esse aliquod singulare, sed non constat de hoc nec de illo nec de aliquo.

98. Si dicas forte quod unius scientiae unum est subiectum, secundum Aristotelem,⁴ sed isto modo non esset unum simpliciter⁵ aliquod, dico

¹ ex] quod B.

² Supra, n. 18.

³ Supra, n. 19.

⁴ Aristot., *Metaph.*, IV, c. 1, t. 1 (1003b 19—20).

⁵ simpliciter] substantia(?) B.

quod unius habitus secundum numerum, (vel magis, unius actus secundum numerum), non est necesse esse unum obiectum primo secundum numerum reale, sed sufficit unitas conceptus vel unitas repraesentationis. Probatio istius: alioquin nunquam cognosceretur aliquid confuse, sed <semper> distincte, nam si cognitioni cuilibet corresponderet necessario unum obiectum reale extra, illud necessario cognosceretur distincte, nam illud distingueret ab omni alio. Et patet manifeste in actu quo cognoscitur ens in universali secundum totum ambitum: nullus, credo, diceret quod est unum ibi extra animam, distinctum ab omni ente particulari. Tunc enim praeter substantiam et accidens, praeter Deum et creaturam esset aliquid ens, quod est inconveniens. Et ideo cognitio confusa contenta est de unitate numerali conceptus vel repraesentativi indistincte repraesentantis.

99. Si dicas quod scientia refertur ad subiectum et actus ad obiectum relatione reali, secundum Aristotelem, V *Metaphysicae*,⁶ ergo oportet esse aliquam unam rem terminantem dependentiam illam ad illud, respondeo, sicut alias,⁷ in simili: ad realem relationem tertii modi, secundum quod scientia ad scibile refertur, sufficit realis entitas sui repraesentativi. Probatio: certum est, rosa non existente vel adnihilata <rosa> potest esse nihilominus obiectum intellectus, alioquin non esset hic fallacia secundum quid <et simpliciter> 'rosa est in intellectu, ergo est'.

100. Ad undecimum, de definitione,⁸ concedo quod definitio non est singularis, sicut nec scientia, sed universalis. Sed dico quod definitio et scientia est rei, non absolute, sed ut concipitur, nam definitio est actus definitivus,⁹ definire <autem> est actus intellectus. Verumtamen est intelligendum quod intellectus consideratione fingit unum quasi existens, aliud a quolibet singulari, cui attribuit passiones et de quo facit scientiam. Et illud unum est primo definitum, et omnia talia, cum tamen illud unum nihil est in re sed tantum in intellectus consideratione. Et hoc pro tanto, <quia> intellectus noster acquirens de rebus cognitionem, procedit a nobis magis notis, qualia sunt confusa, quae licet ita non sint in re, illo tamen modo imaginata vel intellecta aptiora sunt ad doctrinam acquirendam.

⁶ Aristot., *Metaph.*, V, c. 15, t. 20 (1020b 31—32).

⁷ Cf. Henricus de Harclay, quaestio: *Utrum Dei ad creaturam sit relatio realis* (cod. Vat. Burgh. 171, f. 6vb).

⁸ Supra, n. 20.

⁹ definitivus] definitus (?) B.

<De universali ut figmento>

101. Tu dicis: ergo universale est figmentum, quod est contra Lincolniensem, libro *Posteriorum* dicentem:¹⁰ "Universale non est figmentum"; immo contra Aristotelem dicentem¹¹ universale esse ubique et semper; item, si universale esset tale figmentum, nihil vere praedicaretur de eo quod esset verum ens extra animam; ergo demonstratio esset ex propositionibus falsis; ergo etc. Dico quod duplex est figmentum: figmentum philosophicum et poeticum. Poeticum figmentum falsum est in re, quia "multa mentiuntur, cantantes, poëtae", ut dicit Aristoteles.¹² Et quare mentiuntur illi? Sciendum quod veritas et falsitas tantum consistit in compositione et divisione, dicendo 'hoc est hoc' vel 'hoc non est hoc', nunquam in simplici intellectu, secundum quod dicit Aristoteles in I *Perihermenias*, in principio:¹³ "Aliquotiens quidem intellectus est sine vero sive falso; aliquotiens autem cum vero vel cum falso necesse est; similiter et in voce. Circa compositionem enim et divisionem necesse est veritas et falsitas." Unde nisi aliquid addatur rei intellectae non est veritas vel falsitas. Et probat hoc Aristoteles sic:¹⁴ "Hoc autem signum est: hircocervus enim significat aliquid, sed quod nondum verum vel falsum si non esse vel non-esse addatur vel simpliciter vel secundum tempus." Unde si poëta imaginaretur hircocervum, tamen non est falsus nec versus nisi diceret hoc esse in rerum natura. Idem habetur ab Aristotele in libro *Praedicamentorum*. In *Antepaedamentis* dicit sic:¹⁵ "Eorum quae secundum complexionem nullam dicuntur neque vera neque falsa sunt, ut 'homo', 'album', 'currit'." Sed quia poëta fingit tale animal, sicut 'hircocervus' fuisse in rerum natura, ideo figmentum eius <est> falsum. Unde breviter, nullum¹⁶ figmentum <est> falsum nisi id quod componit cum aliquo quod non est componibile cum eo, vel removet ab eo. Sed alio modo fingit philosophus. Nam necessitate doctrinae fingit unum in intellectu simplici quod non est nec esse potest, cui sic ficto attribuit illud quod illi rei inesset si esset in rerum natura, sine omni falsitate. Verbi gratia, geometer causa doctrinae fingit in consideratione lineam sine latitudine, et forte astrologus epicyclos et excentricos, non asserendo talia esse in rerum natura.

¹⁰ Robertus Grosseteste, *In Aristot. Anal. Poster.*, I, c. 17, t. 95 (ed. Venetiis 1521, f. 26vb).

¹¹ Aristot., *Anal. Poster.*, I, c. 31 (87b 32—33).

¹² Aristot., *Metaph.*, I, c. 2 (983a 3—4).

¹³ Aristot., *Perihermenias*, c. 1 (16a 9—13).

¹⁴ Aristot., ibidem (16a 16—18).

¹⁵ Aristot., *Praedicamenta*, c. 4 (2a 8—10).

¹⁶ nullum] nomen B.

Non est enim talis linea in rerum natura qualem geometer imaginatur. Unde Aristoteles, III *Metaphysicae*:¹⁷ "Nec enim sensibiles lineae tales sunt quales dicit geometer; nihil enim rectum sensibilem ita nec rotundum. Tangit enim regulam non secundum punctum circulus." Et tamen geometer imaginando talia non mentitur, quia non asserit talia esse habere in rerum natura. Ideo dicit Aristoteles, II *Physicorum*,¹⁸ quod abstrahentium non est mendacium. Unde dicit Aristoteles: "De his quidem igitur (sole, luna, terra) negotiatur et mathematicus, sed non in quantum physici corporis terminus est unumquodque, neque¹⁹ accidentia speculatur in quantum talibus accidentibus accidunt. Unde et subtrahit. Abstracta enim a motu sunt; et nihil differt, neque fit mendacium abstrahentium." Quare igitur non mentitur geometer? Quia certe non asserit, sicut poeta, quod linea sit in rerum natura quae non sit linea sensibilis, sed considerat seorsum lineam et seorsum qualitatem eius. Unde Aristoteles, ibidem:²⁰ "Geometria quidem de physica <linea> intendit, sed non in quantum physica." Modo, dicit Boethius, loquens de ista materia in libro *De hebdomadibus*, cap. 2:²¹ "Multa sunt quae cum separari actu non possunt, animo tamen et cogitatione separantur, ut cum triangulum vel cetera a subiecta materia nullus actu separet, mente tamen segregans ipsum triangulum proprietatemque eius praeter materiam²² speculatur." Unde aliquid attribuit geometer lineae quod inesset sibi si esset talis in rerum natura, et hoc sufficit ad doctrinam. Ideo universaliter²³ propositiones tales <et> principia scientiarum sunt hypotheticae, id est condicionales, licet per modum categorematum proponantur, sicut credo quod omnes propositiones necessariae, de rebus creatis formatae, sunt condicionales, ut 'posita constantia subiecti' universaliter²⁴ et tamen per modum categoricae possunt poni. Unde ista 'homo est animal' categorica est, tamen subintelligitur 'si est'. Et condicionalis ista semper est vera, sive sit sive non sit.

102. Eodem modo est in proposito de universali: etsi nulla res sit praeter singulare, sicut nulla linea est sine latitudine, tamen quia lineae taliter imaginatae, si esset, talis passio inesset, ideo eodem modo talis passio inest lineae sensibili. Et hoc sufficit ad doctrinam. Eodem modo, sicut universali, si esset in rerum natura, <in>esset talis passio, ideo

¹⁷ Aristot., *Metaph.*, III, c. 2, t. 8 (997b 35 — 998a 3).

¹⁸ Aristot., *Physica*, II, c. 2, t. 18 (193b 31—35).

¹⁹ unumquodque, neque] unde quodcumque habet B.

²⁰ Aristot., *Physica*, II, c. 2, t. 20 (194a 10—11).

²¹ Boethius, *Quomodo substantiae . . . bonae sint* (PL 64, 1312 B—C).

²² materiam] naturam B.

²³ universaliter] realiter B.

²⁴ universaliter] realiter B.

modo talis passio inest singulari cuicumque in quo tale est universale, id est talis natura, et nullum mendacium vel falsitas. Et hoc modo fingunt necessario philosophi demonstrantes et docentes, sicut patet capitulo *De vacuo*, IV Physicorum.²⁵ Supponit enim corpus cubicum separatum ab omni qualitate sensibili, quod neque sit grave neque leve, et hoc solum causa doctrinae. Praeterea, totum illud habetur ab Aristotele XIII *Metaphysicae*,²⁶ <ubi> diffuse dicit: "Quare si quis ponens separata accidentia, speculatur aliquid de his in quantum talia, nullo propter hoc mendacio mentietur; sicut quando neque in terra scripserit pedalem dicat non pedalem." Nam linea pedalis potest esse signum et doctrina totius diametri caeli.

103. Tu dicis forte ad ista omnia: exempla non valent, nam in rei veritate quantitas alia res est a qualitate sensibili, etsi non separata in esse et loco, et aliter figmentum esset consideratio geometri. Ergo eodem modo oportet quod universale sit alia res a singulari, alioquin esset talis consideratio universalis figmentum, licet universale non separetur a singularibus, sicut nec linea mathematica a naturali. Dico quod ad propositum est sufficiens, nam sicut illa quae non sunt in re separata, id est seorsum existentia, per intellectum tamen possunt consideratione separari, ideo ea quae sunt in re eadem possunt esse consideratione diversa. Intellectus enim distinguere potest in consideratione rei <ea quae> natura non distinguit in re; nec propter hoc intellectus sic distinguens in consideratione mentitur, nam non est necesse quod tanta sit diversitas in causa quanta in effectu. Res autem in se est quodammodo effectiva diversorum conceptuum et diversarum considerationum eius in mente, et ideo non oportet quod diversis considerationibus in mente correspondeat alia et alia res extra. Nullus <tamen> erit conceptus vanus, ut multi arguunt,²⁷ quia res correspondet una duobus conceptibus necessario. Et forte in re nec separata nec non-separata est talis linea qualem imaginatur geometer, sicut dicit auctoritas Aristotelis supra allegata, III *Metaphysicae*,²⁸ quod non est rectum nec rotundum in rerum natura.

²⁵ Aristot., *Physica*, IV, c. 8, t. 76 (216b 6—9).

²⁶ Aristot., *Metaph.*, XIII, c. 3 (1078a 17—20).

²⁷ Cf. Scotus, *Super Universalibus Porphyrii*, q. 4, n. 2 (ed. Wadding, I, 90).

²⁸ Supra, in hoc paragrapho, nota 17. — De universali ut figmento cf. Ioannes Saresberiensis, *Metalogicon*, II, c. 20: "Ergo ex sententia Aristotelis genera et species non omnino quid sunt sed quale quid quodammodo concipiuntur; et quasi quedam sunt figmenta rationis seipsam in rerum inquisitione et doctrina subtilius exercentis" (PL 199, 885 C; ed. C. C. I. Webb, Oxonii 1929, 111). Utiliter conferri potest, tum cum opinione Henrici de Harclay tum cum doctrina Scoti, quod dicit Nicolaus Parisi-

〈Responsio ad ultima quatuor argumenta〉

104. Ad duodecesimum argumentum²⁹ patet per id quod dictum est ad tertium argumentum de superiori et inferiori.³⁰

105. Ad decimum tertium³¹ similiter patet quod procedit super falsa imaginatione. 〈Imaginatur enim quod〉 per conceptum mentis intelligatur intentio vel qualitas animae, cum dicitur quod universale est in conceptu tantum. Immo, intelligitur res ut est obiectum illius conceptus confusi.

106. Ad decimum quartum:³² haec est immediata 'nulla substantia est quantitas' et haec est immediata 'nullus homo est linea'. Dico, sine dubio, veritas dependet ex re; sed immediata veritas vel mediata dependet ex re concepta ut concepta est, patet. Unde dicitur 'per se nota'; et 'immediata' vocatur quae non per aliquod medium scitur sed statim occurrit. Modo, ego dico quod eadem res numero occurrit intellectui cognitione confusa statim, quae res eadem numero non occurrit secundum cognitionem distinctam nisi post longum discursum. Unde ex varietate concipiendi est quod propositio una est immediata et alia non, non ex natura rei. Tam enim linea non est albedo ex natura sua quam³³ ista 'nulla quantitas est qualitas', sed quantum ad demonstratorem et doctorem, docere volentem, multum refert.

107. Ad decimum quintum³⁴ dico, sicut dictum est ad primum argumentum,³⁵ quod maior est unitas et similitudo vel convenientia inter Sortem et Platonem quam 〈inter〉 Sortem et lapidem.³⁶ Et ad formam: volo quod totum quod est in Sorte distinguatur a toto quod est in Platone, et tunc(?) nihil vere unum in illis, tamen totum convenit cum toto; et illa 〈convenientia〉 non repugnat distinctioni totius a

ensis (cc. 1250), *Super Porphyrium*: "Ad aliud dicendum quod universale aliquid est in rerum natura et non solum in intellectu. . . Et omnia individua habent quamdam naturam communem inter se, ad quam naturam 〈comparatus〉 quilibet homo potest dici homo. Et illa communis natura quam quilibet homo participat est universale. Sed ista natura non est separata ab individuis secundum esse, sed est substantialis similitudo eorum. Apprehenditur enim in intellectu praeter individuum, sicut contingit intelligere lineam praeter materiam. Et licet linea non sit praeter materiam, tamen talis intellectus non est falsus" (cod. Vat. lat. 3011, f. 3ra).

²⁹ Supra, n. 21.

³⁰ Supra, n. 79.

³¹ Supra, n. 22.

³² Supra, n. 23.

³³ quam] quanta B.

³⁴ Supra, n. 24.

³⁵ Supra, n. 70.

³⁶ lapidem] lapis B.

toto. — Tu dicis quod tunc omnis distinctio³⁷ realis erit numeralis tantum si omnis unitas realis sit numeralis tantum; ergo Sortes et lapis tantum differunt numero. Dico quod consequentia non valet 'unitas realis est tantum numeralis, ergo distinctio³⁸ realis est tantum numeralis'. Et cum dicitur³⁹, 'quot modis <dicatur> unum oppositorum tot modis reliquum', hoc non intelligitur de oppositis privative, nam habitus potest esse uno modo tantum, scilicet⁴⁰ indivisibili, tamen privatio potest multis modis esse, nam perfectum consistit in <in>divisibili, sed imperfectum (eius privatio) multis modis contingit. Unde unum et multum sunt hoc modo privative opposita, nam unitas in indivisibili consistit, sive sit principium numeri sive convertatur cum ente; et ab illa proceditur in multitudinem et per consequens in latitudinem, unde exemplum habet multam latitudinem; et aliud in divisibili. Patet manifeste in unitate quae est principium numeri; nam illa consistit in indivisibili; tamen pluralitas numeralis, vel opposita, est lata et infinita, quia infinitae species numerorum. Nec est uno modo, sed multis, nam duae unitates opponuntur et non sunt unum, sed est de(!) numeralis et tantum numeralis. Duo ternarii sunt (vel ternarius et binarius sunt) non-unum numero; sed non sic, sed specie diversa.⁴¹

<Solutio auctoritatum pro parte affirmativa>

108. Ad auctoritatem Aristotelis in libro *Praedicamentorum*⁴² iam patet in responsione ad nonum argumentum.⁴³

109. Ad auctoritatem in libro *Perihermenias*⁴⁴ 'rerum quaedam sunt universalis, quaedam particularis', dico quod Aristoteles ibi accipit res extendendo nomen ad omne id quod potest esse pars enuntiationis vel orationis.

110. Ad auctoritatem de libro *Topicorum*⁴⁵ dico quod unum dicitur tripliciter: unum numero, unum specie et unum genere. Sed unum dicitur de eis analogice, quia de 'uno numero' principaliter et per se. Sed 'unum specie' non <dicatur> nisi per attributionem ad unum numero. Et quia terminus analogus per se positus stat pro modo famosiori, ideo

³⁷ distinctio] definitio B.

³⁸ distinctio] definitio B.

³⁹ Hoc non dicitur in argumento decimo quinto. Cf. Aristot., *Topica*, I,

c. 14 (105b 30 — 106a 1).

⁴⁰ scilicet] sed B.

⁴¹ Textus duarum ultimarum sententiarum corruptus esse videtur.

⁴² Supra, nn. 25—27.

⁴³ Supra, n. 95.

⁴⁴ Supra, n. 28.

⁴⁵ Supra, n. 29.

cum dicitur 'unum per se', intelligitur communiter de uno numero. Alio modo non dicitur unum nisi cum adiectione diminvente, ut Porphyrius dicit:⁴⁶ "Participatione speciei plures homines unus homo." Non dicitur 'unus' simpliciter. Patet illud per hoc quod Aristoteles in V *Metaphysicae*⁴⁷ addit unitatem proportionis et analogiae. Unde aliae unitates ab unitate numerali dicuntur unitates, quia similitudinis vel convenientiae.

III. Ad auctoritatem X *Metaphysicae*⁴⁸ dico quod duas contrarias species esse maxime distantes sub eodem genere non est aliud in re, secundum Aristotelem, <quam> quod individua illarum specierum magis distant quam individua aliarum quarumcumque specierum.

II2. Ad auctoritatem de I *Physicorum*⁴⁹ concedo quod confusa sunt⁵⁰ magis nota. Et tu dicis 'si essent in mente, essent minus nota, quia tantum per reflexionem', dico quod illa quae sunt in mente subiective sunt minus nota, quia nonnisi per reflexionem; sed illa quae sunt in mente obiective maxime sunt nota cognitione confusa. Huiusmodi sunt universalis.

II3. Ad illud de II *Physicorum*⁵¹ et XIII *Metaphysicae*⁵² <dico> quod causa universalis est effectus universalis et causa particularis effectus particularis, et tamen in re causata particularis et universalis non sunt distincta modo praedicto.

II4. Ad primam auctoritatem Porphyrii⁵³ dico quod species colligit in unam naturam, id est in similitudinem-naturam.

II5. Ad aliud:⁵⁴ tu dicis 'tot erunt genera quot individua', patet responsio per praedicta.

II6. Ad aliud Porphyrii⁵⁵ dico quod 'risibile' est proprietas similis, non una; et aliae proprietates individuales non sunt similes, ut longum, breve etc.

II7. Ad auctoritatem VI *Principiorum*⁵⁶ patet.

⁴⁶ Porphyrius, *Isagoge*, cap. *De specie* (PL 64, III C; ed. Minio-Paluello, *Aristoteles Latinus*, I, 6—7, p. 12).

⁴⁷ Aristot., *Metaph.*, V, c. 6, t. 12 (1016b 31—32).

⁴⁸ Supra, n. 33.

⁴⁹ Supra, n. 31.

⁵⁰ sunt] non B.

⁵¹ Supra, n. 32.

⁵² Ibidem, sed ibi citatur V *Metaphysicae*.

⁵³ Supra, n. 34.

⁵⁴ Supra, n. 35.

⁵⁵ Supra, n. 36.

⁵⁶ Supra, n. 37.

<Dictum Alexandri Nequam de generibus et speciebus>

118. Nota de ista materia Alexandrum Nequam, in libro *De naturis rerum*, illo capitulo ubi agit de septem artibus.⁵⁷ Dicit enim sic: "Frustra blandiuntur sibi asserentes genera et species non esse, eo quod Aristoteles in *Posterioribus Analyticis*⁵⁸ utitur hac forma verborum 'Gaudeant genera et species; monstra enim sunt; etsi sint, nihil ad rationem sunt'. Sed ibi invehitur contra Platonem dicentem speciem 'homo' esse verum hominem, et esse ideam in mente divina existentem. Dicebat enim hanc speciem 'hircocervus' esse ideam et esse hircocervum. Unde insultans ait ironice 'Gaudeant enim genera et species, monstra enim sunt', secundum doctrinam Platonis, 'et si sint, non sunt ad rationem', id est non subsistunt iudicio rationis neque comprehenduntur ratione sed intellectu. Ratio enim est vis animae coniunctiva, maritans formam subiecto; intellectus est vis animae abstractiva, separans formas a rebus ipsis. Hoc quidem modo comprehendebat Plato, genera et species vocans ipsas formas quas asserebat esse etsi res non essent. Nos vero rationis usu genera et species comprehendimus tamquam communes rerum naturas. Sicut autem non est aliquid album nisi albedo sit, ita non potest esse aliquid homo nisi haec natura communis 'homo' sit." Haec ille.

<Utrum Deus sit in genere>

119. Praeterea,⁵⁹ pro parte universalium potest argui sic: quod nisi ponantur in re, Deus posset esse in genere. Consequens falsum. Probatio consequentiae: nam, per te, unitas generis est tantum unitas conceptus. Modo Deo et creaturis potest esse conceptus communis. Potest tunc argui sic: Deus et creatura conveniunt convenientia sufficiente ad convenientiam eorum quae sunt in uno genere, quia conveniunt in conceptu et habent sufficientem differentiam; ergo habent genus et differentiam; ergo etc. Consequens falsum propter duo: tum propter Dei simplicitatem, tum propter eius infinitatem et illimitationem.

120. Dico ad illud quod nullum argumentum concluderet Deum non esse in genere.⁶⁰ Quando tu dicis primo quod esset compositus, dico quod

⁵⁷ Alexander Neckam, *De naturis rerum*, lib. II (ed. T. Wright, *Rerum Britannicarum medii aevi scriptores*, Rolls series, no. 34; London, 1863), 291.

⁵⁸ Aristot., *Anal. Poster.*, I, c. 22 (83a 32—35).

⁵⁹ De quaestione utrum Deus sit in genere, videsis Scotum, *Lectura Prima*, d. 8, p. 1, q. 3 (ed. Vaticana, XVII, 16—47); *Ordinatio*, I, d. 8, p. 1, q. 3 (ed. Vaticana, IV, 169—229). Hanc quaestionem tractat Henricus in suo commentario *In I Sententiarum*, fere eisdem argumentis ac Scotus. (Cod. b 2 Bibliothecae Seminarii Casali Montisferrati, ff. 33vb—34va).

⁶⁰ De opinione quae tenet Deum posse esse in genere videsis Scotum, *Lectura Prima*, I, d. 8, p. 1, q. 3, nn. 89—105 (ed. Vaticana, XVII, 30—36).

non compositione reali, sed sufficit ad hoc quod sit in genere quod possint formari de illo distinctim(!) conceptus apud intellectum, quorum unus sit conceptus confusus qui habet rationem generis et alter magis distinctus qui habet rationem differentiae. Et istis distinctis conceptibus non correspondet aliqua distinctio a parte rei, nam universaliter non est necesse in re (quae est causa quodammodo conceptus formati) tantam esse distinctionem quanta est in effectum, id est in conceptu. Et ideo sine omni compositione reali potest esse in genere.

121. Praeterea, alio modo arguitur quod <Deus> non potest esse in genere propter eius illimitationem et infinitatem: omne illud quod est in genere est limitatum et finitum.⁶¹ <Ad hoc> respondeo quod limitatio <est> duplex. Una quae opponitur illimitationi vel universalitati virtutis, alia quae opponitur universalitati praedicationis. <Et hae> opposito modo se habent, nam universaliora sunt imperfectiora et magis specialia sunt magis perfecta. Hoc secundo modo est Deus maxime limitatus, quia est perfectus.⁶² <Primo modo creatura est magis limitata>: ita enim est in una specie quod nullo modo potest esse in alia. Et talis limitatio requiritur ad genus et speciem, non prima.

122. Praeterea, auctoritates multae dicunt quod Deus est in genere. Primo, Damascenus in *Elementario*, capitulo *De genere et specie*,⁶³ dicit quod "substantia quae continet supersubstantialiter increatam deitatem, cognoscitur autem et continere omnem creaturam, est genus generalissimum." Est ergo Deus in genere.

123. Praeterea, Commentator X *Metaphysicae*, commento 7,⁶⁴ exponens illud verbum Aristotelis 'in omni genere est unum primum quod est metrum et mensura omnium inferiorum in illo genere existentium', dicit sic: "Cum iunctum fuerit huic propositioni Aristotelis, illud quod declaratum est in *Physicis*, hoc esse primum motorem, aeternum et absolutum ab omni materia et declaravit post hoc quod hoc non solum est principium tamquam motor sed tamquam forma et finis, declarabitur quod illud est unum de quo declaratum fuit hic quod est principium substantiae." Ergo Deus <est> in genere substantiae.

124. Praeterea, Aristoteles in principio VII *Metaphysicae*⁶⁵ dividit ens in substantiam et in alia novem praedicamenta, et tunc dicit quod

⁶¹ Sic arguit Scotus, loco cit., nn. 100—103 (ed. Vaticana, XVII, 33ss.).

⁶² quia est perfectus *ponit post* habent *praecedentis sententiae* B.

⁶³ Ioannes Damascenus, *Institutio elementaris ad dogmata*, c. 7 (PG 95, 106 C—D).

⁶⁴ Averroes, *In Aristot. Metaph.*, X, t. 7 (ed. Iuntina, VIII, f. 120v).

⁶⁵ Aristot., *Metaph.*, VII, c. 1, t. 2 (1028a 15—18).

toties dicto ente, primum ens est substantia, per quam respondetur ad quaestionem factam per 'quid'. Unde dicit Aristoteles: "Quando dicimus 'quale quid' hoc, aut bonum dicimus aut malum, sed non tricubium aut hominem. Quando vero quaeritur 'quid est', nec album nec calidum nec tricubium dicimus, sed hominem aut Deum." Ergo per 'Deum' respondetur ad quaestionem factam per 'quid', et omne tale est substantia secundum eum. Ergo Deus <est> in genere substantiae.

125. Praeterea, substantia dicitur univoce de Deo et creaturis, ergo Deus <est> in genere substantiae. Consequentia videtur plana. Probatio assumpti: quia Aristoteles in principio II *Metaphysicae*⁶⁶ dicit quod verum dicitur univoce de Deo et creatura, et ideo, secundum ipsum, cum verum dicatur univoce de Deo et creatura, et Deus est causa creaturae, ideo maxime est verum. Ideo eadem est sententia quae in X *Metaphysicae* supra allegata.⁶⁷ Dicis: ista ratio probat quod Deus est in genere qualitatis, quia veritas dicitur univoce de veritate creata, quae qualitas est, et de⁶⁸ veritate-substantia. Dico quod non sequitur, quia aliquid potest dici univoce de rebus diversorum generum. Sed argumentum tenet gratia materiae, nam substantia non dicitur nisi de illo quod est in genere substantiae, sed verum reperitur in genere substantiae et <in> genere qualitatis.

126. Praeterea, Aristoteles, I *Ethicorum*,⁶⁹ ostendit quod bonum invenitur in omni genere, et ponit exemplum in genere substantiae, sicut 'Deus' et 'intellectus'. Ergo Deus <est> in genere substantiae.

<Responsio auctoris ad quaestiunculam>

127. Dico tamen ad ista: non teneo quod Deus sit in genere, maxime propter articulum Oxoniensem,⁷⁰ qui dicit quod error est dicere quod prima causa est ordinabilis in genere. Quare non est in genere substantiae? Dico quod ex natura rei requiritur aliqua similitudo et proportio determinata illorum quae sunt in uno genere, et unitas realis nulla. Et tunc dico quod Deus transcendit illam similitudinem naturae requisitam ad genus, licet sit tantum similis creaturae quod potest esse unicus mentis conceptus indifferens ad utrumque. Minor tamen est illa similitudo quam

⁶⁶ Aristot., *Metaph.*, II, c. 1, t. 4 (993b 23—31).

⁶⁷ Supra, n. 123.

⁶⁸ de] in B.

⁶⁹ Aristot., *Ethica Nicom.*, I, c. 4 (1096a 23—29).

⁷⁰ Errores a Roberto Kilwardby die 18 Martii 1277 condemnati. In *naturalibus*, art. 15: "Item, quod causa prima est ordinabilis in genere, tamen est extra genus" (H. Denifle — Ae. Chatelain, *Chartularium Universitatis Parisiensis*, I, Parisiis 1889, 559).

sit illa quae requiritur ad genus, ideo non est in genere. Unde argumentum⁷¹ est in oppositum secundum auctores praellegatos et Aristotelem. Si enim genus est in genere substantiae, ut ipsi dicunt, nullo modo substantia significat aliquam rem aliam a re individuali.

⟨Nova auctoritas contra ponentes universale in re⟩

128. Praeterea, unum argumentum adhuc de auctoritate Aristotelis, XIII libro de similitudinibus *Metaphysicae*, quod universalia ⟨non sunt in re⟩. Aristoteles, in fine XIII libri, contra ponentes ideas arguit sic:⁷² “Si aliquis ponat substantias esse separatas, elementa non possent esse principia illarum substantiarum.” Quod sic probat: nam elementa illa non sunt scibilia, ergo nec compositum ex his. Probat quod non sunt scibilia, quia non sunt universalia. Probat, quia universale non est substantia. Si ergo elementa essent universalia, essent non-substantia, et per consequens non-substantia esset prior substantia, quia elementa sunt priora his quae sunt ex elementis. Unde haec sunt verba Aristotelis:⁷³ “Adhuc autem neque scibilia elementa; non enim universalia, scientia autem universalium, palam, aut ex demonstrationibus et definitionibus. Non enim fit syllogismus quod hic triangulus duobus rectis si non omnis triangulus ⟨duo recti⟩, neque quod hic homo animal, si non omnis homo animal. At vero si universalia principia, aut ex his substantiae universales, erit non-substantia prior substantia. Universale autem non substantia, elementum autem et principium universale. Prius autem est elementum et principium ⟨his⟩ quorum principium et elementum est.”

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⁷¹ Seu tota argumentatio in favorem universalium in re.

⁷² Aristot., *Metaph.*, XIII, c. 10 (1086b 19—20).

⁷³ Aristot., ibidem (1086b 32 — 1087a 4).

THE KRONENBURSE OF THE FACULTY OF LAW OF THE UNIVERSITY OF COLOGNE¹

The University of Cologne, founded in 1388, became a great center of mediaeval culture and life. Of its three upper faculties, the Faculty of Law rose to a leading position for it had, already in 1389, 11 professors and 155 students enrolled. It maintained this position throughout the fifteenth century, and then gradually waned just as the other faculties did.²

I. THE LAW SCHOOL AND THE KRONENBURSE³

The School of Law was established in the so-called *Frechen* House which was owned by the city of Cologne. The *Frechen* House was situated in the one block *Vogelstraße* which soon changed its name to *An der Rechtsschule*, a name this street still bears.

About 1430 the *Frechen* House was becoming more and more dilapidated. Besides, the city of Cologne was expecting the great financial endowments of Hermann Dwergh⁴ and Johannes Vorburg.⁵ Both of them had provided in their testaments in 1430 and in 1431 respectively for the erection and maintenance of a College for poor students. Since the City had to provide accommodations for the students of these two colleges it decided to erect two new buildings on the same lot where the *Frechen* House stood. The expenses for the new buildings were borne by the University and the Dwergh and Vorburg foundations.⁶

The building project began in 1433. The construction consisted of two three-story buildings: a front and a back house. The back house replaced

¹ This article is based on my Master's dissertation presented at the Mediaeval Institute of the University of Notre Dame.

² Hermann Keussen, *Die alte Universität Köln, Grundzüge ihrer Verfassung und Geschichte*, Köln, 1934. [Henceforth referred to as Keussen, *Univ.*] p. 229; G. Bohne, "Die juristische Fakultät der alten Kölner Universität," *Festschrift zur Erinnerung an die Gründung der alten Universität Köln im Jahre 1388*, Köln, 1938, [Hereafter cited as *Festschrift*] pp. 109—236 and diagram Abb. 91 in back of book.

³ For a list of archival material pertaining to the *Kronenburse* cf. *Festschrift* pp. 585—86 and p. 589, no. 319 or Keussen *Univ.*, pp. 606—07 and pp. 610—11, no. 319.

⁴ Name also found as Twerg, Dwerch, and Dwergh; Latin: Nanus.

⁵ Name also found as Furbrig, Vurberch, Vorberch, and Voirborch.

⁶ Keussen, *Univ.*, p. 238.

the old School of Law; it had a lecture hall for the canonists and one for the students of civil law. It also provided living quarters for the bedel of the Faculty of Law. The front building served for the accommodation of the fifteen prebendaries and was called *Kronenburse* because of the three crowns⁷ in its gable. The *Kronenburse* had a wider front than the School of law and consisted of the following rooms: a kitchen, a dining room, the living quarters of the rector, a library, a large room which probably served as a living room for the students, and finally the bedrooms of the students.⁸

II. THE FOUNDERS AND THEIR TESTAMENTS

The two founders of the *Kronenburse* were Hermann Dwerg (d. 1430) and Johannes Vorburg (d. 1431). Both were university-trained ecclesiastics with a doctorate in law. Professor Gabriel informs us that

One of the most important motives of the founders of colleges was their love of country, *patria*, place of origin, diocese, or parish. They were led by a fervent desire to raise the spiritual and intellectual standards of their own provinces, cities, or bishoprics. Local patriotism was thus very important in the initiating and carrying out of their plans in founding their colleges.⁹

This love of *patria* is clearly revealed in Dwerg's and Vorburg's testaments which were at the same time the foundation charters of their colleges. In their desire to carry the light of knowledge to their home towns and to other places dear to them and to make study available to capable poor students they left, like so many prelates and ecclesiastics of mediaeval times before them, sufficient funds for the erection of a college.

I. Hermann Dwerg

Hermann Dwerg was a native of Herford, Westphalia.¹⁰ According to Weinsberg, he was the son of a poor family and studied first in Herford

⁷ The three crowns were the emblem of the coat-of-arms of the city of Cologne and represented its patron saints, the Three Holy Kings. According to F. J. von Bianco, *Die alte Universität und die späteren Gelehrten-Schulen dieser Stadt*, 2 vols., Köln, 1850 and 1855, I, 167, note 2, the three crowns also stood for the threefold regime of the city: that of the archbishop, of the city council, and of the rector of the University.

⁸ Keussen, *Univ.*, p. 239 or Keussen, "Die Kölner Juristenschule und die *Kronenburse*," *Jahrbuch des Kölner Geschichtsvereins*, XIV (1932), 55.

⁹ A. L. Gabriel, "Motivation of the Founders at Mediaeval Colleges," in *Miscellanea Mediaevalia* (Veröffentlichungen des Thomas-Instituts an der Universität Köln), III (1964), 61.

¹⁰ *Dwerg's Testament*, p. 271, no. 24, lin. 1—2; "in Hervordia, loco nativitatis meae."

and later in Paris. Here he made a great deal of money through gambling with local merchants and then he left Paris secretly to go to Italy.¹¹ In Italy he enrolled in the University of Bologna to study law,¹² became procurator of the German Nation in 1402,¹³ and received his doctorate in law in 1402.¹⁴ Although we do not have any information concerning Dwerg's ordination to the priesthood we do know that as procurator of the German Nation at the University of Bologna he attended the Council of Constance;¹⁵ later he became the protonotary of the newly elected Pope Martin V.¹⁶ Like two of his countrymen, Dietrich of Niem¹⁷ and Gobelin Person,¹⁸ both natives of the Paderborn diocese, Dwerg was much esteemed at the Roman Curia and soon gained the confidence and favor of the Pope. This increased his reputation and, through the bestowal of numerous ecclesiastical positions and prebends,¹⁹ also his income.

¹¹ H. Weinsberg, *Das Buch Weinsberg, Kölner Denkwürdigkeiten aus dem 16. Jahrhundert*, ed. by K. Höhlbaum, Fr. Lau and J. Stein, Leipzig and Bonn, 1886—1926, I, 104; J. J. Hässlin, *Das Buch Weinsberg. Aus dem Leben eines Kölner Ratsherrn*, München, 1961, p. 92.

¹² E. Friedlaender — C. Malagola, eds., *Acta Nationis Germanicae Universitatis Bononiensis ex Archetypis Tabularii Malvezziiani*, Berolini, p. 157, 33.

¹³ *Ibid.*, p. 158, 1—5.

¹⁴ G. C. Knod, *Deutsche Studenten in Bologna (1289—1562). Biographischer Index zu den Acta nationis Germanicae Universitatis Bononiensis*, Berlin 1899, p. 99.

¹⁵ Dwerg, whom Finke calls "ein vornehmer und edler Landsmann des Westfalen Friedrich Deys" (H. Finke, *Acta Concilii Constanciensis*, Münster, 1896—1928, III, 17), played an active part in the trial of the anti-pope John XXIII. As protonotary of the German Nation he was a member of the committee asked to draw up a list of accusations made against John and as protonotary of the Apostolic See he also testified against John (*Ibid.*, IV, 762). He appeared three times as a witness: one on May 16, 1415, and twice on May 17, 1415. (*Ibid.*, IV, 758—760). His answers as a witness have been recorded in different manuscripts. For condensed answers cf. *Ibid.*, III, passim, and for more detailed and informative answers according to a manuscript of the Amplonian in Erfurt cf. *Ibid.*, IV, pp. 766—770.

¹⁶ To become acquainted with some of the work Dwerg was handling as the protonotary of Pope Martin V cf. K. Hain, "Aus den Annaten-Registern Papst Martin V (1417—1431)," *Annalen des historischen Vereins für den Niederrhein, insbesondere die alte Erzdiözese Köln*, LVI (1893), 144—179, p. 158. For a brief mentioning of Dwerg as the protonotary of Pope Martin V cf. P. Partner, *The Papal State under Martin V*, London, 1958, p. 69, note 5 and F. Gregorius, *Geschichte der Stadt Rom im Mittelalter*, 3. Aufl., Stuttgart und Berlin, 1878—1890, VII, 21, note 1.

¹⁷ Cf. H. Heimpel, Dietrich von Niem, Münster, 1932; M. Creighton, *A History of the Papacy during the Reformation*, London and New York, 1887, I, 425—428.

¹⁸ Creighton, *op. cit.*, I, 428—430.

¹⁹ Knod was able to find documentary evidence that Dwerg held the following ecclesiastical positions: He was provost of the Cathedral of Lübeck; of Saint Lebuin (or Liawinus), Deventer; of Saint Victor, Xanten; of Saint Andreas, Cologne; besides dean of Saint Severin, Cologne, and archdeacon of Breslau. He was Canon of Bremen and Lüttich (Liege), cf. *op. cit.*, pp. 99—100. As canon of Minden he is mentioned as early as 1399 (*Reperitorium Germanicum*, Berlin, 1916—1958, II, pt. 1, 610, 864, and 1242).

Dwerg was also the envoy of the Teutonic Order in Rome. In the records of the Teutonic Knights, who thought highly of him,²⁰ his name appears in 1412 as a candidate for the bishopric of Ermland²¹ and in 1418 as a candidate for the bishopric of Riga.²² But, since he stayed in Rome and also died there, these bishoprics were either never offered to him or he did not accept them; fear of his refusal was expressed in the records of the Teutonic Knights.²³ At the time of his death Dwerg had earned for himself "the reputation of being one of the richest, most influential, and most highly respected men in the Eternal City".²⁴

Dwerg's relations with the city of Cologne date as far back as 1403.²⁵ Later, ecclesiastical positions connected him with the Churches of Saints Severin (1406) and Andrew. For the University he seems to have been a kind of delegate who represented its interests at the Roman Curia. In a letter, written after July 27, 1425, the University thanked Dwerg for the friendly reception of its representatives, who brought the *rotulus*,^{25a} and for other favors granted. The letter further requested the consideration of additional petitions.²⁶

Some months before his death on December 14, 1430, Protonotary Dwerg made his last will, the original of which seems to have been lost.²⁷ It is a long document which he wrote himself as he informs us at

²⁰ H. Koeppen, ed., *Die Berichte der Generalprokuratoren des Deutschen Ordens and der Kurie*. Zweiter Band: *Peter von Wormditt (1403—1419)*. Göttingen, 1960, p. 499: "Herman Dwerg, der io czumole eyn weisser und gelahrter man ist und hoch versucht in gar viel dingen."

²¹ *Ibid.*, p. 129, note 29; p. 141 and note 1; p. 173.

²² *Ibid.*, pp. 486 and 487; pp. 499—500; pp. 504—505.

²³ *Ibid.*, pp. 487—488: "Daraufhin habe man sich beim Papst für Hermann Dwerg als Kandidaten für Riga eingesetzt, doch dieser werde wohl ablehnen, wen er sust zu reich ist;" p. 499: "... und es sei zu befürchten, das er den orden nicht an sich nehmen würde, wen er sust gar eyn grosser und richer herre ist;" cf. also p. 530, note 13.

²⁴ L. Pastor, *The History of the Popes*, London, 1891, I, 243.

²⁵ H. Keussen, ed., *Regesten und Auszüge zur Geschichte der Universität Köln 1388—1559*, (Mitteilungen aus dem Stadtarchiv von Köln, Heft 36—37), 1918, [Henceforth referred to as *Regesten*] p. 15, no. 82.

^{25a} "Rotulus or rotula is a "scheda, charta in speciem rotulae." (Cf. Du Cange, *Glossarium mediae et infimae latinitatis*, V, 809). Rotulus ingulurum facultatum: "ipsae deliberant de mittendis rotulis ad Papam pro providendo magistris de beneficiis ecclesiasticis." (*Chartularium Universitatis Parisiensis*, II, sector prior, pp. 617 and 805).

²⁶ Paris, Bibl. Nat., Ms. Latin. 5237, fol. 285r. For the content of this letter cf. *Regesten*, p. 63, no. 432.

²⁷ The anonymous article "Hermann Dwerg aus Westphalen," *Historisch-politische Blätter für das katholische Deutschland*, XXV (1850), 805 states that the original of Dwerg's testament is being kept in his home town Herford. On contacting the City of Herford the Stadtarchiv und Städtisches Museum of Herford said in a letter of August 15, 1967: "Leider besitzt das Stadtarchiv Herford nicht das Original-Testament von Hermann Dwerg." References to

its beginning and its end.²⁸ As we read it, Dwerg's personality begins to unfold itself before us. He reveals himself as a true priest and sincere follower of Christ, characterized by justice, charity, and humility. His love of God finds expression in his esteem for the Church and his service towards his fellowmen. He begins his testament with a prayer: "*Domine, qui dixisti 'nolo mortem peccatoris,' miserere mei.*"²⁹ Then mentioning the uncertainty of death, he asked to be buried in the Church of Saint Mary Major if he should die in Rome, and to have his Requiem Mass simple, without pomp, and without a sermon.³⁰ The only thing he requested from those attending his Requiem Mass were prayers for the repose of his soul.³¹ Similar petitions, together with allowances for the requested prayers, for his soul, the souls of his parents and for the souls of all other faithful, appear a few times more in the course of his testament.³²

When Dwerg begins with the distribution of his possessions he first remembered Pope Martin V, "whose confidant I was for many years,"³³ as he described his relations with the pope; and then he bequeathed to him his *Magnum decretum* and St. Augustine's *De civitate Dei*.³⁴ All his other books, "both those at the Curia and outside it,"³⁵ he left to the Church of St. Pusinna³⁶ in Herford to be placed and chained in a library.³⁷ It is doubtful whether the Church of St. Pusinna received the books which Dwerg had bequeathed to her. In 1434, the Council of Basel (1431) urged the University of Cologne to send Dwerg's books to St. Pusinna in

Dwerg's Testament and to other documents pertaining to the *Kronenburse* are given according to my transcription appended to this study.

²⁸ *Dwerg's Testament*, p. 267, Intro., lin. 10: "... prout ferius manu mea conscribetur," and p. 279, no. 68, lin. 17: "... praedicta manu mea propria conscripsi."

²⁹ *Ibid.*, p. 267, lin. 5—6.

³⁰ *Ibid.*, p. 267, no. 1, lin. 4—5: "fient exequiae simpliciter absque pompa et absque sermone."

³¹ *Ibid.*, p. 267, no. 1, lin. 5—6.

³² *Ibid.*, p. 268, no. 5, lin. 1—3; p. 271, no. 22, lin. 3—5; p. 274, no. 39, lin. 3—4 and p. 275, no. 45, lin. 5—6.

³³ *Ibid.*, p. 269, no. 2, lin. 3: "cuius multis annis familiaris fui."

³⁴ *Ibid.*, p. 269, no. 2, lin. 1—2.

³⁵ *Ibid.*, p. 274, no. 40, lin. 1—2: "ubicumque existentes, tam in curia quam extra."

³⁶ St. Pusinna was a virgin who lived in the 6th century in Gaul. According to a legend she took care of her ill father until his death and then spent the rest of her life as a recluse at the abbey of Corvey. In 860 St. Hedwig had her remains transferred to a newly established convent in Herford, Westphalia, and gave its collegiate church the name of St. Pusinna (Cf. *Bibliotheca hagiographica Latina antiquae et mediae aetatis*, ed. by Bollandists, Bruxellis, 1898—1901, II, 1017—18; *Acta Sanctorum*, April III, 3d. ed., Parisiis et Romae, 1866, pp. 167—72).

³⁷ *Dwerg's Testament*, no. 40, lin. 4—5: "... ponantur in catenis ferreis. sic quod alienari aut permutari non possint."

Herford. However, Hölscher's *Programm des Gymnasiums zu Herford* of 1869³⁸ states that there were no traces of Dwerg's books in Herford.

In his testament Dwerg asked to return the beautiful volumes on the Clementine Decretals to their owner, Bishop Frederic³⁹ of Chiemsee, Bavaria, and to send him also his own *Novellae VI*. Then he apologized to the Bishop and asked for his prayers in case there ever had been any misunderstanding between them.⁴⁰

Turning to his real estate possessions, Dwerg ordered that his small house in Rome be separated from his palace and then be given to the monastery of *Sancta Maria de Populo* in Rome together with two thirds of his garden. He bequeathed his palace and the rest of his garden to the Canons and Chapters of the Basilicas of Saint Peter and Saint Mary Major.⁴¹

He willed his house in the parish of St. Panthaleon in Rome and his vineyards outside the city to defray the expenses for the erection of an altar in the Church of St. Mary Minor and for the two priests who were to say a Holy Mass there three times a week for the welfare of the universal Church. He also left money to buy a missal, a chalice, and other things for this altar.⁴²

The Hospital of St. Salvador near St. John Lateran received Dwerg's small house opposite his palace together with 300 florins of gold.⁴³ He likewise remembered in his will the hospitals of the Anglican Lords and of the Teutonic Knights.⁴⁴

Dwerg dispensed all the churches and places of which he was a benefactor from their debts to him and asked only for a perpetual remembrance in their prayers.⁴⁵

Dwerg seems to have been much concerned for poor girls who wanted to get married. For this purpose he left to the cities of Herford, Deventer, and Rome sufficient funds to furnish annually a dowry for one needy girl,⁴⁶ and also requested that his clothes be distributed

³⁸ Cf. *Regesten*, p. 78, no. 539.

³⁹ C. Eubel, *Hierarchia catholica medii aevi* (ed. alt.), Monasterii, 1913, I, 184: "Fridericus Theis de Thesingen, ep. Lavant, a. 1423, Mart. 8 a Mart. V admin. eccl. Chiemen."

⁴⁰ *Dwerg's Testament*, p. 276, no. 51, lin. 4—5: "... si unquam aliquis error inter ipsum et me fuisset et placeat esse memor mei in orationibus suis."

⁴¹ *Ibid.*, p. 268, nos. 4—7, lin. 1—7.

⁴² *Ibid.*, p. 270—271, nos. 15—19, lin. 1—4.

⁴³ *Ibid.*, p. 271, no. 21, lin. 1—3.

⁴⁴ *Ibid.*, p. 278, nos. 55—58, lin. 1—6.

⁴⁵ *Ibid.*, p. 274, no. 39, lin. 1—4.

⁴⁶ *Ibid.*, p. 269, no. 10, lin. 1—17; pp. 272—273, no. 30, lin. 1—9; p. 274, no. 38, lin. 1—6, and p. 55, no. 66, lin. 1—5.

among these poor girls and among poor priests.⁴⁷ About twenty years later, Henricus Haich, mayor of the City of Cologne and provisor of the University and of the *Kronenburse*, followed Dwerg's example and provided dowries for three or four poor girls annually.⁴⁸

In Herford, Dwerg left a sum of money and a barn for the establishment of a home for six sickly people of Herford who no longer could work.⁴⁹ The same concern for the aged was shown by Hubant, the founder of the *Ave Maria College* who erected in the fourteenth century in Paris both a home for ten poor old women and for ten poor old men.⁵⁰

The two principal churches of Herford, Sts. John and Dionys⁵¹ and St. Pusinna,⁵² received an allowance for Holy Masses.⁵³ Also Sts. John and Dionys and St. Severin of Cologne received funds to complete their church towers.⁵⁴

His sister is the only one of his relatives to whom he left something.⁵⁵

Each member of his household received 30 ducats and was asked to remain ten more days in his house. He also apologized to them in case he had offended them.⁵⁶

Dwerg also set aside funds to be distributed among the poor who seem to have been frequent visitors in his home. He also ordered them to be fed, clothed and lodged once more for ten days. In the last paragraph of his testament he again remembered them when he asked his executors to distribute to the poor whatever was left of his possessions.⁵⁷

Dwerg, although not a university master, was fully aware of the advantages of a higher education. He, therefore, requested in his testament that two Colleges be established for students: one in Herford and one at the University of Cologne. He chose the students for the two colleges from cities which had become dear to him because of his posi-

⁴⁷ *Ibid.*, p. 277, no. 54, lin. 1—3.

⁴⁸ *Regesten*, p. 136, no. 1085 and pp. 351, 359, 363, 511.

⁴⁹ *Dwerg's Testament*, p. 273, nos. 33—34, lin. 1—2.

⁵⁰ A. L. Gabriel, *Student Life in Ave Maria College, Mediaeval Paris. History and Chantry of the College*, Notre Dame, Indiana, 1955, pp. 113—116.

⁵¹ According to a letter of August 15, 1967, from the Stadtarchiv und Städtisches Museum of Herford this church is today known as the Neustädter Kirche.

⁵² *Ibid.*, This church is today the Münster of Herford.

⁵³ *Dwerg's Testament*, p. 275, nos. 41—44, lin. 1—2.

⁵⁴ *Ibid.*, p. 276, no. 46, lin. 1—2 and p. 278, no. 65, lin. 1—3.

⁵⁵ *Ibid.*, p. 276, no. 47, lin. 1—2. This fact has been overlooked by the author of the article "Hermann Dwerg aus Westfalen," *Historisch-politische Blätter für das katholische Deutschland*, XXV (1850), 806 for he wrote: "Seinen Verwandten legiert er Nichts."

⁵⁶ *Dwerg's Testament*, pp. 277—278, no. 62, lin. 1—5.

⁵⁷ *Ibid.*, p. 278, no. 67, lin. 1—4; p. 278, no. 63, lin. 1—4 and p. 278, no. 68, lin. 12—13: "si quid in bonis meis superfuerit, distribuant occulte inter pauperes."

tions in their churches. The cities which were selected to send two students each to both colleges were Herford, Cologne, Liège, Breslau, Lübeck, and Deventer. The College in Herford had to prepare the students so that they could continue their studies at the University of Cologne in either the Faculty of Theology or of Law. Only those students who had successfully completed their studies at Herford and had presented a testimonial letter of good morals and conduct could become a candidate for the College in Cologne. A board consisting of two priests and two laymen decided upon the acceptance of the candidates.⁵⁸

Thus when Dwerg provided for the establishment of two Colleges he did what Bishop Wykeham had done when he founded in 1382 the *Collegium Sanctae Mariae* in Winchester to give his boys the necessary training in grammar and the arts before they went to continue their studies at his *Collegium Sanctae Mariae*, or New College, in Oxford.⁵⁹

To make the students use their time well Dwerg limited their stay in Herford to four years and their time in Cologne to five years.⁶⁰ Cardinal Lemoine, who founded a College in Paris in 1302, allowed his students to study for eight years,⁶¹ while Bishop Kerer granted them ten years for the study of theology, seven for law, six for medicine, and four for philosophy.⁶² The College of Burgundy was one of the few which did not set a limit to the number of years a student could pursue his studies at the college.⁶³

Although Dwerg spoke in the course of his testament of his executors he did not reveal their names until he came towards the end. The two appointed executors were Johannes Schallerman,⁶⁴ auditor and Bishop

⁵⁸ *Ibid.*, nos. 23—29, lin. 1—2 and nos. 35—37, lin. 1—7; Bianco, *op. cit.*, II, 148—153; Keussen, *op. cit.*, *Jahrbuch des Kölner Geschichtsvereins*, XIV (1932), 58—62; *Regesten*, pp. 67—68, no. 471.

⁵⁹ A. F. Leach, *A History of Winchester College*, New York, 1899, pp. 64—70; M. E. C. Walcott, *William of Wykeham and his Colleges*, London, 1852; A. L. Gabriel, "The College System in the 14th-Century Universities," *The Forward Movement of the 14th Century*, ed. F. L. Utley, Columbus, 1961, p. 81.

⁶⁰ *Dwerg's Testament*, p. 272, no. 24, lin. 11—13 and p. 273, no. 35, lin. 4—5.

⁶¹ M. Félibien - G. Lobineau, *Historie de la ville de Paris*, Paris 1725, v. 2, pt. 3 [VII], 610: "... ordino et statuo ut nullus artista sit in domo ultra octo annos."

⁶² Joh. Kerer, *Statuta Collegii Sapientiae*, Freiburg im Br., 1497, facsimile ed., Lindau and Konstanz, 1957, fol. 40r; edition by J. H. Beckmann with an abridged English translation, pp. 72 and 73.

⁶³ P. Ford, *The College of Burgundy at the Mediaeval University of Paris. History, Topography, and Cartulary*, Notre Dame, Ind. 1965, pp. 33—34.

⁶⁴ Also Scallerman (cf. *Dwerg's Testament*, p. 276, no. 53, lin. 1 and p. 278, no. 68, lin. 3); Eubel, *op. cit.*, I. 220; *Regesten*, p. 68, no. 472; pp. 72—73 nos. 503 and 504; p. 120, nos. 1024 and 1024a. In the beginning of the fifteenth century we find Johannes Schallerman with a doctorate in

of Kurland, and Johannes Thomae de Crevelt,⁶⁵ (d. 1441), provost of St. Mauritius in Münster. Dwerg recommended to his executors to select in turn executors for special regions.⁶⁶ Dwerg's many and detailed orders in his testament seem rather exacting on his executors, but he also left final decisions up to them⁶⁷ or allowed them "to change, to improve or to correct his testament according to God and their good judgment."⁶⁸

2. Johannes Vorburg

The other founder connected with the *Kronenburse* was Johannes Vorburg, a native of Alkmaar⁶⁹, a Dutch town situated five miles from the sea and twenty miles from Amsterdam.⁷⁰ In contrast to Dwerg, Vorburg⁷¹ as professor of canon law was closely connected with the early history and development of the University of Cologne. Its authorities esteemed him highly and his students praised him as an efficient teacher when they were exposed to the poor teaching of Johannes Caminata

canon law as one of the masters of the Faculty of Law at the University of Vienna (cf. J. Aschbach, *Geschichte der Wiener Universität*, Wien, 1865, p. 612). In 1412, 1416, and again in 1421 he was dean of the Faculty of Law (*Ibid.*, pp. 587 and 588). From 1430 to 1450 he was Bishop of Görz (*Regesten*, p. 597).

⁶⁵ Cf. *Dwerg's Testament*, no. 68, lin. 2—4; K. Hayn, "Aus den Annaten-Registern Papst Martins V (1417—1431), " *Annalen des historischen Vereins für den Niederrhein*, LVI (1893), pp. 151 and 165; *Regesten*, p. 68, no. 472. In 1431 he became provost of the Apostles' Church in Cologne (*Regesten*, p. 72, no. 503; Hayn, *op. cit.*, pp. 151 and 160). He is also mentioned as a representative of the University of Vienna (cf. Hayn, *op. cit.*, p. 160, note).

⁶⁶ *Dwerg's Testament*, p. 278, no. 68, lin. 6—7.

⁶⁷ *Ibid.*, p. 271, no. 19, lin. 4: "hoc sit liberum relictum arbitrio executorum meorum infrascriptorum."

⁶⁸ *Ibid.*, p. 278, no. 68, lin. 14—16: "Haec est ultima voluntas mea . . . mutanda tamen, emendanda et corrigenda per executores meos ubi eis videbitur secundum Deum et bonam rationem agendum."

⁶⁹ *Vorburg's Testament*, p. 280, no. 6, lin. 1—2: "... oppidi Alcmariensis in Hollandia, unde originem duxi."

⁷⁰ A. and L. Heilprin, eds., *A Complete Pronouncing Gazetteer or Geographical Dictionary of the World*, Philadelphia and London, 1922, I, 42.

⁷¹ Vorburg came as a doctor of canon law to Cologne in 1392 and lectured as *professor ordinarius* on the decretals, receiving a salary from the city. In 1393 and again in 1398 he was dean of the Faculty of Law; he held the office of rector in 1394 and in 1403 and that of vice-rector in 1411. From 1395 to 1408 he was a canon of St. Severin. In 1414 he was chosen as a representative of the Faculty of Law of the University of Cologne to attend the Council of Constance. [Cf. H. Keussen, ed., *Die Matrikel der Universität Köln*, Bonn, 1919—1931. Hereafter cited as *Matrikel*, I, 67 (12, 24)]. He was also one of the jurists who was frequently asked to give his written opinion on current problems (Th. Muther, *Zur Geschichte der Rechtswissenschaft und der Universitäten in Deutschland*, Jena, 1876, p. 248; *Regesten*, p. 8, no. 1398; *Festschrift*, p. 191). For an imaginary representation of Vorburg cf. *Festschrift*, appendix, illus. 71. Vorburg's son Johannes became in 1427 a student in Cologne (Nieuw Nederlandsch biografisch woordenboek onder redactie van P. C. Molhuysen, Leiden, 1911, III, 1335—1336).

who took the place of Vorburg during Vorburg's stay at the Council of Constance.⁷²

On March 1, 1416, the representatives of the University of Cologne wrote a letter⁷³ to the University stating that Vorburg had decided to return to Cologne since funds were running low and the end of the Council could hardly be before five months. Besides the monthly cost of living for each representative of Cologne amounted to sixteen Rhenish florins.⁷⁴

For almost forty years Vorburg taught with great dedication and loyalty in the Faculty of Law of the University of Cologne. When he wrote his testament⁷⁵ he left the yearly rent of three houses he owned in Cologne⁷⁶ to establish at the University of Cologne a College for poor students⁷⁷ to earn after seven years of study their licentiate in law.⁷⁸ Vorburg also bequeathed all his books and part of his household utensils to this College.⁷⁹

Vorburg appointed three persons to select one candidate each to benefit from his College. They were the Mayor of Alkmaar and his Council and the husbands of his two daughters. Their heirs inherited this privilege and were also allowed to present themselves as candidates if they were qualified. If a disagreement occurred among those who had the right to present a candidate, the provisors of the College were to

⁷² Bibl. Nat., Paris, Ms. Latin. 5237, fol. 292. Vorburg's attendance of the Council of Constance has been recorded in U. von Richenthal, *Chronik des Constanzer Concils, 1414—1418*. Text der Aulendorfer Handschrift, ed. by Heinrich Steyner, 1536, unveränderter Nachdruck, Meersburg, 1936. Vorburg is listed here as "Johannes Wurzburg de Urtriecht."

⁷³ Cf. Bibl. Nat., Ms. Latin. 5237, fol. 215r, printed in E. Martène - U. Durand, *Thesaurus novus anecdotorum*, Lutetiae Parisiorum, 1717, II, 1617, Epistola VI. For other letters of the representatives of Cologne at Constance cf. Bibl. Nat. Ms. Latin. 5237 folios 211r—252r or Martène-Durand, *op. cit.*, II, 1609—1707.

⁷⁴ Martène-Durand, *op. cit.*, II, 1610; L. Dax, *Die Universitäten und die Konzilien von Pisa und Konstanz*, Freiburg im Br., 1910, p. 31.

⁷⁵ For a copy of *Vorburg's Testament* cf. Kölner Archiv, Ms. Univ. 327, folios 20—22; Ms. Univ. 327a, folios 31—34v; Ms. Univ. 319, folios 15v—18v.

⁷⁶ *Vorburg's Testament*, p. 279, no. 1, lin. 4—6; no. 2, lin. 1—3; no. 3, lin. 1—3.

⁷⁷ *Ibid.*, p. 279, no. 1, lin. 1—4: "Statuo et ordino quod in scholis iuristarum civitatis Coloniensis, si placet dominis de civitate, fundetur unum Collegium pro pauperibus studentibus in jure canonico aut civili." Cf. also Bianco, *op. cit.*, II, pp. 1090—1091; L. Ennen, *Geschichte der Stadt Köln*, Köln und Neuss, 1869, III, 859—860; Keussen, *op. cit.*, *Jahrbuch des Kölner Geschichtsvereins* XIV (1932), 88—89.

⁷⁸ *Vorburg's Testament*, p. 282, no. 17, lin. 1—3.

⁷⁹ *Ibid.*, p. 280, no. 4, lin. 1—2.

select one if after two months of vacancy no candidate had been appointed.⁸⁰

To qualify as a candidate for the Vorburg College a boy had to be at least fifteen years old and not more than twenty-five. He had to be well-grounded in grammar and logic and be capable, docile, and of good morals; his yearly income was not to exceed twenty-five Rhenish florins. The dean and the oldest doctor of the Faculty of Law examined the eligibility of the candidate and then made the decision regarding his acceptance.⁸¹

A student who stayed away from the College without sufficient reason for a complete and continuous year had to be replaced by another candidate.⁸² Stipends of students who were absent from the College were to be used for the good of the College.⁸³ Students who caused serious disciplinary problems could also not be retained.⁸⁴

Those who had received a licentiate of Vorburg's College had to promise to recompense the College for the education they received.⁸⁵ In the *Collegium Sapientiae* every student who left the College signed a document which stated the amount of money the student owed the College and which he and his heirs were obliged to pay.⁸⁶

III. STATUTES OF THE KRONENBURSE

Since the first rector of the *Kronenburse*, Gerard Morf of Koesfeld,⁸⁷ took over his office in 1439, we may conclude that this was the year the *Kronenburse* began to function as an educational institution. Thus it must have been also around this time that the first set of Statutes was drawn up. This set of Statutes is no longer extant. We know about it

⁸⁰ *Ibid.*, pp. 280—281, nos. 6—10, lin. 1—9.

⁸¹ *Ibid.*, pp. 281—282, nos. 13—14, lin. 1—10.

⁸² *Ibid.*, p. 282, no. 18, lin. 1—5.

⁸³ *Ibid.*, p. 282, no. 19, lin. 1—3.

⁸⁴ *Ibid.*, pp. 282—283, no. 20, lin. 1—9.

⁸⁵ *Ibid.*, p. 283, no. 21, lin. 1—6: "Item quicumque in eodem Collegio promotus fuerit ad gradum licentiae, promittet bona fide loco juramenti decano et seniori doctori dicti Collegii, quod dum ad pinguorem fortunam pervenerit juxta gratiam et discretionem a Deo sibi datas aliquam facient retributionem suo arbitrio relinquendam Collegio praedicto, pro beneficio mihi percepto, in augmentum dicti Collegii convertendum."

⁸⁶ Kerer, *op. cit.*, pp. 38—39 and pp. 86—89.

⁸⁷ Gerard matriculated in 1430 at the Faculty of Arts of the University of Cologne and received his bachelor degree under master Laurenz of Groningen on June 13, 1431, and his bachelor degree in canon law in 1435 under Dr. Johannes of Spul [*Matrikel* I, 325 (165, 26)]. On October 10, 1439, he distributed as rector of the Dwerg College 120 florins (Regesten, p. 93, no. 746).

through a reference made to one of its rules⁸⁸ in 1544 by Jacob Kremer von Hochstraten.⁸⁹

The oldest set of Statutes still extant, usually known as the Statutes of 1500, was composed between 1497 and 1504. These Statutes,⁹⁰ written while Henricus Panser of Zutphen⁹¹ was rector of the *Kronenburse*, consist of the student's oath, a selected passage of each of the four Gospels, a preface, and the Statutes proper. They were composed by the four provisors who supervised the administration of the *Kronenburse*: Johannes Heesboem,⁹² Johannes Crysche,⁹³ Everhard Schiderich,⁹⁴ and

⁸⁸ Cf. Kölner Stadtarchiv, Ms. Univ. 327, fol. 12v or last two paragraphs of document III in this study. The rule mentioned here is the one which excluded a student, who had not at least once a year received Holy Communion, from the common table until he had received pardon. Jacob Kremer von Hochstraten regretted that this rule was no longer contained in the Statutes of 1500.

⁸⁹ He entered the University of Cologne in 1527 and taught in the *Montanum* of the Faculty of Arts from 1532 to 1550. He held the offices of dean of the Faculty of Arts, *quodlibetarius*, and *receptor*. He was rector of the *Kronenburse* in 1543—1554 and rector of the University in 1547—1548. In 1543 he was also made regent of the *Armenhaus*, a position he kept until his death in 1560 [*Matrikel* II, 892 (556, 6); *Regesten*, p. 431, no. 3236]. He is not identical with Jacob von Hochstraten, the Dominican theologian who taught at the *Bursa Cornelia*.

⁹⁰ Cf. p. 283, Document III of this study.

⁹¹ He was of the diocese of Utrecht and matriculated on August 19, 1475, in the Faculty of Arts of the University of Cologne and became a member of the *Bursa Laurentiana*. He received his bachelor of arts degree under master Jacobus de Amersfordia and his master of arts degree in 1480 under master Anton Swolghen. Later he became upon the request of King Maximilian a canon of St. George's [*Matrikel* I, 876—877 (347, 40)].

⁹² J. Heesboem (also Heeszboum or Heseboum) was the son of a Cologne cleric and matriculated on February 14, 1451, in the Faculty of Arts of the University of Cologne. He received his bachelor of arts degree in 1453 under master Gerard Elten and his master of arts degree in 1471. From 1464 to 1480 he was canon of St. Severin, Cologne, and from 1491 to 1506 provost of St. Andrew, Cologne. In 1477 his name is recorded as a canon of St. Paul in Liege and as secretary of the Cardinal of St. Peter's ad Vinculum. In 1478 we find him as a canon of St. Salvador in Utrecht and in 1496 in Rome [*Matrikel* I, 544 (252, 11)]. He died in 1506 (P. Clemen, ed., *Die Kunstdenkmäler der Rheinprovinz*, Düsseldorf, 1891—1929, VI, 4. Abteil., p. 68). In the *Regesten* he is frequently mentioned as provisor of the *Kronenburse*: pp. 260—61, no. 1938; p. 265, no. 1967; p. 282, no. 2079; p. 291, nos. 2135—39; p. 303, nos. 2240—48.

⁹³ J. Crysche (also Krysch, Kriisch, or Krysy) was from Erkelenz in the diocese of Liege and matriculated in 1463 in the Faculty of Arts of the University of Cologne. From 1497 to 1512 he was dean of St. Severin, Cologne, and later became provost of St. Nicolaus in Spalt. In 1482 he tried in vain to become a canon of St. Mary's in Aachen [*Matrikel* I, 698 (297, 93)]. In H. H. Roth, *St. Severin in Köln, ein Kollegiatstift*, Augsburg, 1925, p. 112, we read: "Dominus Johannes Krysch praepositus Spaltensis et huius ecclesiarum decanus." The *Regesten* mention him as provisor of the *Kronenburse*: p. 291, nos. 2135—39; p. 303, nos. 2240—48; p. 338, no. 2542; p. 341, nos. 2566—69. He died in 1512 (Clemen, *op. cit.*, VI, 4. Abteil., p. 68).

⁹⁴ E. Schiderich (also Zyderich, Schijderich or Schyderich) was from 1480

Henricus Haich.⁹⁵ Like William of Tournai, O.P.,⁹⁶ the author of an earlier guidebook for the young, they were convinced of the Scriptural truth that young people are prone to evil (Genesis 8, 21) and therefore need directions, statutes, to help them to become efficient, responsible, refined, and morally sound.⁹⁷

The provisors, knowing that their educational aim could only be reached through a harmonious cooperation of rector and students, set up regulations for both: seven articles for the rector and forty-six for the prebendaries. In contrast with most of the mediaeval French Colleges the Statutes of the *Kronenburse* did not spell out the business policies, probably since most of them were handled by the provisors. Neither is

to 1513 one of the provisors of the University of Cologne (*Regesten*, p. 230, no. 1721; 295—96, no. 2176). On November 23, 1480, his name appears in the records as one of the witnesses in a quarrel between Heinrich Unkelbach and Johannes Pieck (*Ibid.*, p. 231, no. 1732). On June 20, 1500, he attended as treasurer and provisor of the University the meeting of the city council at which the provisors were asked by a Bull of Pope Alexander VI to decide upon the distribution of the prebends (*Ibid.*, p. 305, no. 2277). Receipts which he issued as provisor of the *Kronenburse* in behalf of the students of the Dwerf College have been preserved (*Ibid.*, p. 291, nos. 2135—39; p. 303, nos. 2240—48; p. 338, no. 2542). When the Statutes of 1500 of the *Kronenburse* were compiled, he was one of the mayors of Cologne; in 1505 he was honored as the oldest of the provisors of the University (*Ibid.*, p. 329, no. 2467).

⁹⁵ H. Haich (also Haeck) was a colleague of Schiderich and, like him, one of the provisors of the University of Cologne (Keussen, *Univ.*, p. 383; *Regesten*, pp. 295—96, no. 2176; p. 318, no. 2378; p. 329, no. 2467) and also of the *Kronenburse* (*Ibid.*, pp. 260—61, no. 1938; p. 265, no. 1967; p. 291, nos. 2135—39; p. 303, nos. 2240—48). He also held the office of one of the mayors of the city (*Ibid.*, p. 265, no. 1967 and p. 279, no. 2060) and was a proconsul (Altbürgermeister) when the Statutes of 1500 of the *Kronenburse* were issued (cf. p. 286, Document III, lin. 13). In 1500 he attended also the meeting of the city council to decide upon the distribution of the prebends (*Regesten*, p. 305, no. 2277). In his testament he set aside funds to provide annually dowries for three or four poor girls (*Ibid.*, p. 136, no. 1085 and pp. 351, 359, 363, 511).

⁹⁶ W. of Tournai, a Dominican of the thirteenth century, probably belonged to the monastery of Lille. He was sent to the Dominican College St. Jacques in Paris to study for this licentiate in theology. In his treatise *De instructione puerorum* he expressed his agreement with Genesis 8, 21. [Cf. J. A. Corbett, ed. (Texts and Studies in the History of Mediaeval Education, no. 3), Notre Dame, Ind., 1955, p. 14]. For a list of his other works cf. P. Glorieux, *Répertoire des maîtres en théologie de Paris au XIII^e siècle*, Paris, 1933, I, 130—131. Cf. also J. Quéatif - J. Echard, *Scriptores Ordinis Praedicatorum*, Paris 1719—1723, I, pt. 1, pp. 349—350 and *Histoire littéraire de la France*, XX (1895), 208—210; A. L. Gabriel, *The Preparatory Teaching in the Parisian Colleges during the XIVth Century*. Ottawa 1951, pp. 34—39.

⁹⁷ Cf. *Statutes*, p. 286, lin. 34—38: “. . . ut fructibus illius Collegii digne, laudabiliter, sine scrupulo conscientiae, summis vigiliis summaque diligentia . . . proficiant, ad honores moribus rusticabilibus sed more clericorum abstinendo se debeant.”

there any reference made to the *archa* and its keys upon which so much emphasis was placed in the French Colleges.⁹⁸

The rector was the chief administrator of the house and also responsible for its discipline. He was assisted by a vice-regent who had the same duties and powers as the rector.⁹⁹ Mention is also made of a *fiscus*^{99a} who was one of the prebendaries selected by the rector. The *fiscus* was obliged to accept the burden of the office by taking an oath.¹⁰⁰

It was the rector's duty to purchase all things necessary for the common household,¹⁰¹ to lock and open the doors at the prescribed time,¹⁰² to supervise the studies¹⁰³ and the conduct of the students,¹⁰⁴ and to take care that the Statutes were observed¹⁰⁵ and the penalties imposed if rules were violated.¹⁰⁶

The Statutes speak of salted meats, pork and beef which the rector should buy,¹⁰⁷ but they do not mention beverages. We know, however, from a complaint of the brewers about 1490 that the *Kronenburse* and the other Bursa Houses in Cologne had malt mills and breweries to make beer.¹⁰⁸ But the complaint of brewers did not stop the Bursa Houses from brewing their own beer for in 1529 the *Kronenburse* asked the city of Roermonde, whose College was next to the *Kronenburse*, for permission to build the wall between the two Colleges a little higher, so that a shed could be constructed against it for the brewing of beer.¹⁰⁹

⁹⁸ Cf. Gabriel, *Ave Maria College*, pp. 217—220.

⁹⁹ *Statutes*, p. 290, no. 14, lin. 4: "licentia rectoris vel eius vicem gerentis." Cf. also p. 291, no. 21, lin. 6; p. 292, no. 29, lin. 2; p. 293, no. 39, lin. 2; p. 294, no. 44, lin. 2—3.

^{99a} Ca. 1437 a *fiscus* was a treasurer, a fiscal officer. (Cf. R. E. Latham, *Revised Medieval Latin Word-List from British and Irish Sources*, London 1965, p. 192. The *fiscus* probably collected the fines imposed upon the students for violating rules.)

¹⁰⁰ *Ibid.*, p. 294, no. 43, lin. 1—6.

¹⁰¹ *Ibid.*, p. 287, nos. 1—2, lin. 1—3.

¹⁰² *Ibid.*, p. 287, no. 4, lin. 1—6.

¹⁰³ *Ibid.*, p. 287, no. 7, lin. 1—3: "ut . . . lectiones doctorum et aliorum legentium diligenter visitent, aliis scholasticis intersint actibus."

¹⁰⁴ *Ibid.*, p. 287, no. 3, lin. 1—3; p. 287, no. 6, lin. 1—3; no. 7, lin. 5.

¹⁰⁵ *Ibid.*, p. 287, no. 7, lin. 5.

¹⁰⁶ *Ibid.*, p. 287, no. 3, lin. 3 and p. 183, no. 7, lin. 1—6.

¹⁰⁷ *Ibid.*, p. 287, no. 1, lin. 2.

¹⁰⁸ Loesch, *Kölner Zunfturkunden*, II, 92, no. 1, quoted in *Regesten*, p. 267, no. 1978: "Item beclagen sich die bruwere, dat men in den bursen, as nemelich up dem Eygelsteine, up Marcellistraissen, under 16 huisen, Smijrbroederen stetlich keute bruwe ind up die gemeente verslijse ouch ire mals selfs malen, dardurch dem gemeinen gude an assijsen ind den bruweren an irre narongen mirklichen afgezoigen wirt, darumb sij die gezaele der 300 secke mals, in zo bruwen gesat, niet verslie en moechten."

¹⁰⁹ *Regesten*, p. 390, nos. 2945—46.

The Statutes that deal with the duties of the prebendaries give us a good picture of the life of a student in the *Kronenburse*. After the new student had taken the entrance oath¹¹⁰ he was regarded as one of the prebendaries and was subjected to an initiation ceremony known as the deposition of the *beanus*,¹¹¹ for it was thus that the newcomer was called.¹¹² According to the Statutes this ceremony could be performed only in the presence of the rector and after its performance no one was allowed to mistreat the newcomer any longer.¹¹³

Since the lectures in mediaeval universities were early, all prebendaries had to get up before six o'clock in the morning under penalty of being deprived of their portion for the day.¹¹⁴ The new students could begin their studies in one of the faculties only with the permission and upon the advice of the provisors or the rector.¹¹⁵ Everyone was obliged to buy the prescribed textbooks.¹¹⁶ Hermann Weinsberg,¹¹⁷ one of the law students and prebendaries of the Dwergr foundation bought in 1537 thirteen law books, including the *Corpora Iuris* of both canon and civil law.¹¹⁸ If the prebendaries missed a lecture of their *professores ordinarii* they paid a fine.¹¹⁹ Every second week the students held a *repetitio* within the house. All law students were obliged to attend or pay a fine.¹²⁰ Private exercises for outsiders were allowed to be held within the house as long as they did not disturb others.¹²¹ During the sixteenth century the students estab-

¹¹⁰ For its text cf. Document III, *Statutes*, p. 283—284.

¹¹¹ Cf. W. Fabricius, *Die akademische Deposition (Depositio cornuum)*, Frankfurt, 1895. For interesting woodcuts on the deposition cf. J. Kuckhoff, *Die Geschichte des Gymnasium Tricoronatum*, Köln, 1931, pp. 207—08; for the reproduction of a deposition diploma cf. *Ibid.*, illus. opp. p. 400. For a detailed and dramatic description of the deposition in form of a dialog cf. *The Manuale scholarium* in F. Zarncke, *Die deutschen Universitäten im Mittelalter*, Leipzig, 1857, pp. 4—10 or pp. 24—33 in R. F. Seybolt's translation of this work, Cambridge, Mass., 1921. For engravings which represent the deposition and explain each scene with a Latin distich and a German translation cf. *Ritus depositionis*, Argentorati, apud Petrum Aubry, 1666.

¹¹² The word *beanus* was defined as follows: "*Beanus est animal nesciens vitam studiosorum*" (V. Hoffmann, *Laus depositionis beanorum*, Jenae, 1688, p. 17). The first letters of the words in this definition give us again the word *beanus*.

¹¹³ *Statutes*, p. 293, no. 37, lin. 1—6.

¹¹⁴ *Ibid.*, p. 288, no. 3, lin. 1—3.

¹¹⁵ *Ibid.*, p. 288, no. 6, lin. 1—3.

¹¹⁶ *Ibid.*, p. 288, no. 7, lin. 1—6.

¹¹⁷ For biographical information about him cf. his family chronicle, *Das Buch Weinsberg* and the *Matrikel* II, 929 (583, 41).

¹¹⁸ *Das Buch Weinsberg*, I, 116; Hässlin ed., p. 97.

¹¹⁹ *Statutes*, p. 288, no. 4, lin. 1—4.

¹²⁰ *Ibid.*, p. 289, no. 9, lin. 1—12.

¹²¹ *Ibid.*, p. 289, no. 10, lin. 1—4: "Si quis prebendatus exercitium in Collegio pro extraneis privatim tenere voluerit, hoc ita facere potest quod ceteris prebendatis nullum prestat impedimentum."

lished the *Collegium juridicum* to dispute and respond every Sunday afternoon on topics decided upon the Sunday before.¹²² Weinsberg wrote very enthusiastically about this College and the revision of its statutes.¹²³

To preserve an atmosphere conducive to study, the prebendaries were asked to walk quietly while in the house.¹²⁴ Twice a day they came together to have a common meal with the rector at which the junior members served.¹²⁵

A maid was hired for the work in the kitchen,¹²⁶ and when Weinsberg was rector also a male servant was employed.¹²⁷ The prebendaries too helped with the community chores but not during the hours of their lectures.¹²⁸

The prebendaries of the *Kronenburse* observed the liturgical feasts which were indicated in the calendar¹²⁹ of the Faculty of Law. It was probably for this reason that the Statutes were mainly concerned with regulations about the intellectual life of the students and the maintaining of the discipline within the house. In contrast to this, the fourteenth-century French colleges of Paris gave detailed instructions regarding the liturgical life of their students.¹³⁰

The Statutes of 1500 left the practice of the spiritual life mostly up to the students themselves. The Statutes only asked them to attend Holy Mass on feastdays and to pray for the founder.¹³¹ The table prayers

¹²² Cf. Kölner Archiv Ms. Univ. 83 or Keussen, *Univ.*, p. 266; W. P. Eckert, *Kleine Geschichte der Universität Köln*, Köln, 1961, pp. 73—74.

¹²³ *Das Buch Weinsberg*, I, pp. 116—117: "Über ein gutte weil danach hat das vurs. collegium studiosorum juris frei zugenommen, die statuta sint verbessert. Sulchs wart Conrado Betzdorf, Johanni Anholt und mir befohlen, mir haben die statuta in ein bestendigere ordnung gefasst und ich hab die 3 allereiste statuta darzu gesatzet samt etlichen andern, und haben darnach ein bestendich boichlin mit pergamenen bletteren hubsch laissen inbinden und die statuta zirlich darin schriben. Ander exercitia haben unser etliche auch mit declameren, institutiones zu lesen und derglichen under enandern gehabt."

¹²⁴ *Statutes*, p. 291, no. 22, lin. 1—2.

¹²⁵ *Ibid.*, p. 290, no. 18, lin. 1—5 and p. 292, no. 30, lin. 1—3.

¹²⁶ *Ibid.*, p. 291, no. 25, lin. 1—2; *Das Buch Weinsberg*, I, 142, 149, 184, 185.

¹²⁷ *Ibid.*, I, 184 and 142: "dan ein magt und einen jongen mogt ich mit in der kost halten."

¹²⁸ *Statutes*, p. 294, no. 40, "quilibet sociorum . . . per rectorem vocatus fuerit in singulis factis, aquam hauriendo, ligna portando, Collegium scobando, etc. . . . salvis tamen eorum lectionibus."

¹²⁹ For a critical ed. of the calendar of the University of Cologne and for those of the four faculties cf. Paulus von Loë, "Das Kalendarium der Universität Köln," *Annalen des Historischen Vereins für den Niederrhein*, LXVII (1899), 109—129.

¹³⁰ As a good example of this cf. Gabriel, *Ave Maria College*, pp. 319—383.

¹³¹ *Statutes*, p. 292, no. 31, lin. 1—3.

consisted of the *Benedicite* and the *Gratias*.¹³² This was certainly much more simple than saying the *Miserere*, a prayer which Dwerg prescribed for his College in Herford¹³³ or the *De profundis* which the prebendaries in the *Collegium Sapientiae* in Freiburg and in the *Ave Maria College* in Paris had to say.¹³⁴

Since the educators of the young men in the *Kronenburse* were anxious that the students develop into refined scholars and responsible lawyers, the Statutes warned them of certain misdemeanors, such as swearing¹³⁵ attacks upon the rector or *fiscus*,¹³⁶ insulting or injuring each other,¹³⁷ leaving the College after the nocturnal curfew,¹³⁸ frequenting improper taverns,¹³⁹ bringing suspicious women into the College,¹⁴⁰ and stealing.¹⁴¹

The Statutes also stressed that the prebendaries be dressed decently and orderly in scholars' gowns. Therefore, they received once a year cloth for a new gown and goods for two gowns during their least year.¹⁴² During the sixteenth century, when the cost of living was rising, cloth for gowns could no longer be given.¹⁴³ To wear a big knife or a dagger publicly or secretly within the College or within the city was forbidden. But on leaving the city they were allowed to do so, just as in the *Collegium Sapientiae* in Freiburg.¹⁴⁴

The Statutes are silent about the recreational activities of the students although they forbade gambling within the College.¹⁴⁵ From Weinsberg we know that this rule was frequently violated for he admits that the prebendaries, including himself, gambled secretly in their rooms.¹⁴⁶ He

¹³² *Ibid.*, p. 290, no. 18, lin. 6—8: "Volumus quod prebendati singuli pro tunc, secundum huius Collegii consuetudinem, *Benedicite* et *Gratias* devote dicant et legant, sub pena trium maurorum pro qualibet vice.

¹³³ *Dwerg's Testament*, p. 272, no. 25, lin. 1—4.

¹³⁴ Kerer, *op. cit.*, facsimile ed., fol. 28r and Beckmann ed. pp. 58 and 59. Gabriel, *Ave Maria College*, Statutes, no. 19, p. 391: "... die Sabbati dicant cum cantu vel sine cantu in sua capella *Salve Regina* cum oratione Concede, post statim *De profundis* cum oratione *Inclina et Fidelium*."

¹³⁵ *Statutes*, p. 291, no. 21, lin. 1—4.

¹³⁶ *Ibid.*, p. 291, no. 21, lin. 5—9.

¹³⁷ *Ibid.*, p. 289, no. 11, lin. 5—10.

¹³⁸ *Ibid.*, p. 291, no. 23, lin. 1—3.

¹³⁹ *Ibid.*, p. 291, no. 24, lin. 1—4.

¹⁴⁰ *Ibid.*, p. 290, no. 14, lin. 1—6.

¹⁴¹ *Ibid.*, p. 290, no. 16, lin. 1—6.

¹⁴² *Ibid.*, p. 295, no. 45, lin. 1—14.

¹⁴³ This is indicated in the Ms. Univ. 327 of Cologne by writing *vacat* in the margin next to the rule concerned, no. 45.

¹⁴⁴ *Statutes*, p. 290, no. 13, lin. 1—3; Kerer, *op. cit.*, facsimile ed., fol. 24v, Beckmann ed., pp. 52—53.

¹⁴⁵ *Statutes*, p. 290, no. 15, lin. 1—3.

¹⁴⁶ *Das Buch Weinsberg*, I, p. 131: "umb dese zit (1538) vur und nach plagen mir geselln vurs. in der Cronenbursen wol heimlich zu zeiten uff den kameran im bret zu spillen umb ein gelaich und sunst umb etwas anders, aber das moist heimlich geschehen, das es der rectoer nit gewar mist werden."

also tells us that he and his companions played ball and exercised themselves in jumping.¹⁴⁷ The playing of musical instruments, singing, and painting were also fostered in the *Kronenburse*,¹⁴⁸ while the Statutes of the Freiburg *Collegium Sapientiae* allowed only the playing of the clavichord.¹⁴⁹ In the *Kronenburse* the students played the lute, virginal, flute, and clavichord, and cherished polyphonic singing and Gregorian chant.¹⁵⁰ This was a Cologne tradition for already in the later part of the thirteenth century, Franco, the head of the Cathedral School of Cologne, taught polyphonic singing and described it in his treatise *Ars cantus mensurabilis*.¹⁵¹ Weinsberg and two of his friends in the *Kronenburse* made oil and water colors, painted boxes, portfolios and coats-of-arms, and also colored pictures in books.¹⁵² Weinsberg, assisted by his cousin, Christian Heresbach, also painted a genealogical tree of his family on a wall in one of his father's rooms.¹⁵³

In 1578, the four provisors of the *Kronenburse*: Constantine Lyskirchen,¹⁵⁴ Johannes Masius, Melchior ex Mulhem, and Gerard Pelegromius¹⁵⁵ issued at the request of the city council of Cologne and upon

¹⁴⁷ *Ibid.*, I, 131: "Mir gesellen plagen uns auch im felde, uff dem graven und sunst mit dem Balspil und spring zu uben. Ich habe oft uber den galgen van gerden hoher gesprongen dan bis an min herz, und wonder istz, das ich mir nimmer weh getain hab."

¹⁴⁸ *Ibid.*, I, 117; Hässlin ed., p. 98.

¹⁴⁹ Kerer, *op. cit.*, facsimile ed. fol. 35r; Beckmann ed., p. 66: "Quia nonnunquam honestatis seu iocunditatis specie, multa improba et nephanda sinceris adolescentum mentibus suggeruntur. Volumus omni instrumento musico (clavicordio solo dempto) nostram carere domum, ita ut nec exterius in eadem ludendi facultas sit sub pena privationis vini per integrum diem."

¹⁵⁰ *Das Buch Weinsberg*, I, 117; Hässlin ed., p. 98.

¹⁵¹ N. C. Carpenter, *Music in the Medieval and Renaissance Universities*, Norman, Okla., 1958, pp. 58—59.

¹⁵² *Das Buch Weinsberg*, I, 117; Hässlin ed., p. 98.

¹⁵³ *Das Buch Weinsberg*, I, 117, V, xxv; for a genealogical chart of the Weinsberg family cf. back of vol. V.

¹⁵⁴ C. Lyskirchen (d. 1581) probably belonged to the aristocratic family of the Lyskirchens in Cologne (E. H. Kneschke, ed., *Neues allgemeines deutsches Adels-Lexicon*, Leipzig, 1930, V, 579). He and his brother John attended with Weinsberg and the sons of other noble families of Cologne the school of St. Elogius *Auf der Santkuיל* (*Buch Weinsberg*, I, 51). On June 4, 1530 both Constantine and his brother John matriculated at the University of Cologne and became members of the *Bursa Montis*. They received their bachelor degree in 1532. From 1544 to 1580 Constantine was a member of the city council and became mayor in 1554. [*Matrikel* II, 907 (566, 26 and 27)]. For a portrait of him as mayor cf. Kuckhoff, *op. cit.*, illus. opp. p. 48. The Constantine Lyskirchen who donated in 1512 the chapel of the Holy Cross in St. Peter's in Cologne is probably Constantine's father or one of his relatives. For the two reliefs which commemorate this donation cf. P. Clemen, ed., *op. cit.*, VII, pt. 2, pp. 192 and 203.

¹⁵⁵ J. Masius, M. ex Mulhem, and G. Pelegromius (or Pilgrum) were all members of the city council of Cologne since 1577. In 1578 Masius was also *steimmeister*, (cf. *Das Buch Weinsberg* I, *Worteläuterung*, p. 379) a council-

the advice of Petrus Schulting of Steinwisch¹⁵⁶ additional statutes, known as *Reformatio Bursae Coronarum*,¹⁵⁷ to supplement the Statutes of 1500. The *Reformatio* was originally written in German and translated into Latin. The secretary who made the final draft and confirmed it with the public seal was Laurentius Weber.¹⁵⁸

These additional statutes stated: 1. that the annual board for living in the *Kronenburse* amounted to sixty thalers;¹⁵⁹ 2. that since Herford no longer sent students to Cologne the number of prebendaries had been reduced to ten so that the 264 thalers of the Dwerg foundation were to be divided into twelve equal parts: one for each of the ten prebendaries and two for the rector and his family;¹⁶⁰ 3. that the portions of those absent would be divided among those present.¹⁶¹

In 1610 when Jacob Triest of Nymwegen¹⁶² was rector of the *Kronenburse* he copied the Statutes of 1500, the *Reformatio Bursae Coronarum* and the Testaments of the two founders. He thus gave us another version (Köln Archiv, Ms. Univ. 327a) of the chief documents of the *Kronenburse*.

IV. A BRIEF HISTORY OF THE KRONENBURSE

In 1433 the city of Cologne received the funds from the Dwerg and Vorburg foundations and on April 16, 1433, the first student of the

man to whom the supervision of the police forces was entrusted, while ex Mulhem and Pegelromius were two of the mayors of the city (*Ibid.*, II, 382). At this time all three of them were also provisors of the *Kronenburse* (*Reformatio*, p. 296, lin. 4—7).

¹⁵⁶ P. Schulting entered the Faculty of Arts of the University of Cologne on May 13, 1546 and became a member of the *Bursa Laurentiana*. In November 1546 he received his bachelor's degree, his licentiate in law in 1558 and ten years later his doctorate. In 1557 he became *dictator* in the *Collegium iuridicum* and from 1558 to 1559 we find him in Rome as an ambassador of the University of Cologne. In 1559 he received the lecture of Johannes Anholt and became chancellor of the University. In 1571 he was dean of the Faculty of Law. He died in 1585. [*Matrikel* II, 999 (626, 109); *Regesten*, nos. 3799, 3820, 3831, 3842, 3870, 3873, 3885].

¹⁵⁷ Cf. Document IV, pp. 296—299.

¹⁵⁸ L. Weber (textor in Latin) matriculated on May 6, 1550 at the University of Cologne as "Laur. Textor de Gaupickelheim" [*Matrikel* II, 1039 (645, 51)]. As a secretary he is mentioned in *Regesten*, p. 456, nos. 3410—3411 and in *Reformatio* p. 296, lin. 10—11.

¹⁵⁹ *Reformatio*, pp. 296—297, no. 1, lin. 6—9. But already in 1579 the board was raised to sixty-four thalers (Keussen, *Univ.*, p. 257).

¹⁶⁰ *Reformatio*, p. 297, nos. 2—3, lin. 1—5.

¹⁶¹ *Ibid.*, nos. 5—16, lin. 1—4.

¹⁶² The licentiate Jacob Triest was appointed rector of the *Kronenburse* on Nov. 7, 1607. The usual lecture which his predecessors had held was not given to him although he had requested it. The continued complaints about the disorder in the *Kronenburse* during his rectorship caused him to be deposed on June 17, 1611 (Keussen, *Univ.*, pp. 258—259). In his testament of Jan. 9, 1629, Jacob provided funds for two poor boys of his family to study in the *Laurentianum* (Bianco, *op. cit.*, II 1041—1046).

Vorburg College, Henry of Zomerer¹⁶³ arrived. But due to unexpected difficulties it took six more years until the first rector of the *Kronenburse* was installed.¹⁶⁴

During the fifteenth century the *Kronenburse* developed quite normally under the regency of six different rectors. The second rector, William Hugonis of Leyden,¹⁶⁵ was an industrious man who set a good example for his students. The sixth rector, the Frisian Haringus Sefridus Sinnema of Hage,¹⁶⁶ became famous because of his work *Expositiones sive declarationes titulorum utriusque iuris*.¹⁶⁷

The sixteenth century during which thirteen different rectors governed the *Kronenburse* was a less happy one. First of all, the cities connected with the Dwerg and Vorburg foundations turned Protestant, except Cologne and Liège. This kept many students away from Cologne and opinions on the matter greatly differed among University authorities and city officials.¹⁶⁸ Secondly, due to the local wars the cost of living rose so that the stipends of the two foundations no longer covered the expenses. When the rectors began to economize, the students revolted and even threatened the rector. Therefore, when Everhard Olken of Meppen¹⁶⁹ resigned on March 11, 1559, as rector, all students were sent

¹⁶³ Henry Alexander of Zomerer entered the University of Cologne in 1429 and received his bachelor of arts degree on July 3, 1430. In 1433 he became the first student of the Vorburg College and in 1437 he received his master of arts degree and a bachelor degree in canon law. In 1448 we find him as a priest in the diocese of Utrecht. [*Matrikel* I, 310 (158, 18); Keussen, *Univ.*, p. 262].

¹⁶⁴ Keussen, *Univ.*, pp. 238 and 262.

¹⁶⁵ William entered the University of Cologne in 1433. He received his master of arts degree and his bachelor degree in canon law in 1437 and a year later his licentiate degree in law. In 1451 he received a bachelor degree in civil law and in 1452 his doctorate in canon law. He was also appointed *professor ordinarius in iure canonico in novis iuribus*. From 1449 to 1452 he was rector of the *Kronenburse* and of the Law School. Seven times he was dean of the Faculty of Law and in 1455 rector of the University. In 1452 he became the lawyer and *officialis* of the local curia and received also a university prebend at the Collegiate Church of St. Gereon and therefore resigned as rector of the *Kronenburse*. He died in 1478. [*Matrikel* I, 362 (179, 22); Keussen, *Univ.*, p. 250].

¹⁶⁶ Haringus entered the Faculty of Law of the University of Cologne on Jan. 9, 1476. He received his bachelor degree in law in 1487, his licentiate in 1490, and his doctorate in both canon and civil law in 1491. He had a university stipend at St. Mariengreden. In 1490 he was rector in the *Kronenburse*. When in 1494 the Imperial Court of the Chancery was established he became one of its assessors and lived at the Imperial Court. He died in 1513. [*Matrikel* I, 882 (349, 1); Keussen, *Univ.*, p. 250].

¹⁶⁷ Keussen, *Univ.*, pp. 248—249.

¹⁶⁸ *Ibid.*

¹⁶⁹ Olken entered the University of Cologne as a jurist on April 11, 1516. In 1520 he received his bachelor degree in law and licentiate in canon law some time later. From 1553 to 1559 he was rector of the *Kronenburse*. He

home and the *Kronenburse* was closed. To the cities of Lübeck, Deventer, and Liège who complained about this the reopening of the *Kronenburse* was promised for May 1.¹⁷⁰ However the actual reopening was delayed until Easter 1566 and then done only under the condition that the students contributed twelve thalers towards their board. Nine years later, it again became necessary to close the *Kronenburse* temporarily.¹⁷¹ In 1577, with the appointment of Suffridus Petri of Leeuwarden¹⁷² as rector, many improvements were noticed. He not only forced the provisors to issue the *Reformatio Bursae Cornonarum* but also showed great concern for the students. He ordered that private lectures, disputations, and other exercises be given gratis within the house. During the common meals he discussed with the students the *regulae iuris* or similar topics. Twice every week a private disputation was given on the *Institutiones* and the *Digestum*. The students also took turns in giving a speech every week. In 1581, a new financial crisis arose within the *Kronenburse*. Therefore, Suffridus tried to join the Herford funds with those of Cologne since Herford had closed its College. But his dealings with Herford remained unfruitful.¹⁷³

During the seventeenth century the *Kronenburse* was governed by eight different rectors.¹⁷⁴

Early in the eighteenth century, notary Bernard Kemp was appointed *receptor* and administrator of the foundations of the *Kronenburse* to relieve the rector of this difficult task. Kemp was able to increase the capital by 1000 thalers which made it possible to give the students greater stipends. In 1785 when Husecus became *receptor* of the foundations he compiled a list of the books in the *Kronenburse*. What the

celebrated his jubilee as an assistant pastor of St. Lawrence's and died when he was nearly eighty years old. [Matrikel II, 760 (560, 5); Keussen, *Univ.*, pp. 254—255].

¹⁷⁰ *Regesten*, p. 526, nos. 3836 and 3840; p. 527, no. 3847.

¹⁷¹ Keussen, *Univ.*, pp. 254—255.

¹⁷² Suffridus came in 1547 to the University of Louvain and taught there in the Faculty of Arts. In 1551 he came as a jurist to the University of Cologne and in 1557 he taught Greek and Latin at the University of Erfurt. In 1562 he became for two years the secretary of Cardinal Granvella in Brussels. In 1574 he returned to Louvain to receive his doctorate in law and then went back to Cologne where he became a professor of the *Institutiones*. From 1577 to 1593 he was rector of the *Kronenburse*. *Matrikel* II, 1056 (650, 117); Keussen, *Univ.*, 256—258. He was also a prolific writer. For a list of his works and publications cf. J. F. Foppens, *Bibliotheca Belgica sive virorum in Belgio vita, scriptisque illustrum catalogus, librorumque nomenclatura*, Brussels, 1739, II, 1110—1111. He died in Cologne in 1597 and was buried there in the St. Apostles Church. (*Ibid.*, II, 1110).

¹⁷³ Keussen, *Univ.*, pp. 256—258.

¹⁷⁴ Keussen, *Jahrbuch des Kölner Geschichtsvereins*, XIV (1932), pp. 81—85.

receptores who followed him did with the Dwergr foundation is still a mystery. The last records on this are urgent requests, dating from November and December 1797, asking the *receptor* Georg Kügelgen to give an account of his administration.¹⁷⁵

The last rector of the *Kronenburse*, Johannes Benedict Willmes (1743—1823) took office in 1785. Although a lifelong stay in the *Kronenburse* had been granted to him we find the house in 1797 empty. In the same year, when the French authorities incorporated the region of the left bank of the Rhine into the French Republic, Willmes took the oath requested by the French occupation officials and received the lectureship on criminal law. In 1823, as an old man of eighty, we find him again living in the *Kronenburse* where he died shortly after.¹⁷⁶

¹⁷⁵ *Ibid.*, pp. 85—88.

¹⁷⁶ *Festschrift*, pp. 329—330; Keussen, *Jahrbuch des Kölner Geschichtsvereins*, XIV (1932), pp. 81—85.

KRONENBURSE STUDENTS AND BOARDERS

Year of Entrance	Name	Biographical Information	Sources
1433	Henricus de Zomerem	Cf. p. 254, note 163 of this study.	<i>Matr.</i> * I, 310 (158, 18) <i>Matr.</i> III, 1083
1441	Loppo Walingi of Zieriksee	He entered the University of Cologne in 1437 as a poor boy and became a servant in the Bursa Cornelia. After he received his M. A. degree in 1441 he continued his studies as a prebendary of the Dwerig College. In 1449 he began to lecture on the <i>Institutiones</i> and received in 1456 a doctorate in both canon and civil law. He left two works: the <i>Reportata in 2 libros logicae</i> , the lectures of his master, Cornelius Baldwini; and the <i>Reporta sive recollecta super 4 libros Institutionum</i> , probably his own lecture notes. In his testament, he left a small foundation for the prebendaries of the Kronenburse.	<i>Matr.</i> I, 401 (196, 5); Keussen, <i>Univ.</i> pp. 264—265. <i>Regest.</i> p. 171, nos. 1335—1336; p. 454, no. 3404; p. 200, no. 1518

* *Matr.* = *Matrikel* of Cologne Univ.
Regest. = Keussen, ed., *Regesten*.

Year of Entrance	Name	Biographical Information	Sources
1445	Johannes Nicolai de Leydis	He matriculated in 1441 as a pauper in the Faculty of Arts and received his B. A. in canon law.	<i>Matr.</i> I, 44 (210, 53) <i>Matr.</i> III, 1083
1450?	Johannes Marci Beckensloer de Breslau	Candidate for Kronenburs.	<i>Matr.</i> 1450, Nachtr. 658 <i>Regest.</i> p. 126, No. 1025
1450?	Jakob Borchardi de Breslau	Candidate for Kronenburs.	<i>Matr.</i> 1450, Nachtr. 659 <i>Regest.</i> p. 126, No. 1025
1450	Gerardus Horen	Servant of Kronenburs.	<i>Matr.</i> (245, 1); III, 1083
1451	Johannes Zepp de Lechnick	Born in Cologne where he in 1451 matriculated in the Faculty of Arts as a student of the Dwerp College. He received his B. A. in canon & civil law. In 1469 he became a canon of St. Severin, Cologne & of St. Stephanus in Mainz. Died in 1482.	<i>Matr.</i> I, 543 (250, 11) <i>Niederwh. Annalen</i> , LXI, 154, 447, 178, 596
1455	Steph. Gerwart de Daventria	Matriculated as a student of the Dwerp College and received a B. A. in canon law.	<i>Matr.</i> III, 42, No. 692
1455	Theodericus de Francfordia	Matriculated on June 27, 1455, as a candidate of the Kronenburs. He was the son of Hans Hochgesang and has studied in Erfurt.	<i>Matr.</i> I, 587 (265, 77) <i>Regest.</i> No. 1091 & 1095

1456	Johannes Veen de Leodio (Liège)	Matriculated in 1451 in Cologne. In 1452 he received his B. A. under Arnoldus Unckel. In 1456 he served as a priest in the Dwerg College & received a B. A. in canon law.	<i>Matr.</i> I, 542 (249, 29) <i>Matr.</i> III, 1083
1465	Heynr. Volqwini de Attendarn, diocese of Cologne	Matriculated on Aug. 9, 1462, in the Faculty of Arts, Cologne, and was in 1465 a student of the Vorbürg College.	<i>Matr.</i> I, 686 (294, 17)
1473	Allardus de Harffa of Herford	Matriculated in December 1471 in Cologne and received his B. A. in canon law in 1474. Keussen thinks he is identical with Alb. Kesslerinck de Harffa who studied in 1473 at the Dwerg College.	<i>Matr.</i> I, 834 (332, 80)
1493	Albert de Deventria	Matriculated on July 6, 1493, in Cologne as a student of the Dwerg College. He was the son of Peter Godschalk.	<i>Matr.</i> III, 67, Nachtr. No. 1132 <i>Regest.</i> No. 1994
1493	Henricus Herfordiae al. Coci	He was a priest of the Paderborn diocese and entered in 1493 the Univ. of Cologne as a student of the Dwerg College.	<i>Matr.</i> II, 381 (427, 41) <i>Matr.</i> III, 1083
1510	Johannes Stennher de Friburga	He was a servant of the Kronenburse.	<i>Matr.</i> (486, 124) <i>Matr.</i> III, 1083

Year of Entrance	Name	Biographical Information	Sources
1534	Hermann Weinsberg or Wynsberch de Colonia (1518—1604)	He entered the Univ. of Cologne on Dec. 1, 1534, and soon afterwards became a student of the Kronenburse, taking the place of one from Lübeck. He received his B. A. in 1536, his licentiate in arts in 1537, and his B. A. in law in 1539. Still in the same year he also became rector of the Kronenburse. On Feb. 15, 1543 he received his licentiate in law. Three months later he left the Kronenburse and a new rector was installed. Later he became one of the councilmen of the City and wrote a family chronicle, <i>Das Buch Weinsberg</i> .	<i>Matr.</i> II, 929 (583, 41) <i>Regest.</i> pp. 411, 419, 425, 447, 488 <i>Buch Weinsberg</i> , written in mediaeval German I—V, passim; the abridged one-volume ed. by Hasslin has been written in modern German, passim <i>Regest.</i> , pp. 411, 419, 425, 447, 488
1537	Joseph Goldberg de Colonia (d. 1572)	He entered the Univ. of Cologne in 1535 as a student of the Laurentianum. In 1537 he graduated with Weinsberg, his friend, and then entered the Kronenburse and received a licentiate in law. In 1549 he received a Univ. prebend at St. George's, Cologne.	<i>Matr.</i> II, 930 (585, 7) <i>Buch Weinsberg</i> , II, 227. Hasslin ed. passim.

1537	Johann Brink von Deutz, Cologne	Entered the Univ. of Cologne on March 26, 1535. Received his licentiate of arts in 1537 and then studied law in the Kronenburse. In 1541 he became a judge of the jury-court. He married Weinsberg's sister Katharina.	<i>Matr.</i> II, 930 (585, 6) <i>Buch Weinsberg</i> I, passim V, appendix, Stammtafeln I and IV. Hässlin ed., passim
1537	Christian Hersbach de Colonia (1519—1562)	In 1537 he is studying law at the university and a boarder of the Kronenburse. He received a licentiate degree both in the arts and in law. Later he became a canon of St. Severin, Cologne and then of St. Cassius in Bonn where he also held the office of <i>officialis</i> .	<i>Matr.</i> II, 937 (590, 15) <i>Buch Weinsberg</i> I, 26, 84; II 41, 119, V, 507
1537?	Hermann Korth (d. 1540)	He was a cousin of Weinsberg from his mother's side and entered the University of Cologne as a prebendary of the Kronenburse. He died in 1540 during the pest epidemic.	<i>Matr.</i> III, 113, Nachtr. No. 1909 <i>Buch Weinsberg</i> , I, 143, 150; V, 504
1537?	Karl Kuckelmann de Aich (1522—1558)	Oldest son of Weinsberg's sister. Studied in Herford, became a prebendary in the Kronenburse and studied in the Faculty of Arts. Later he became a Premonstratensian monk in Knechtsteden and then Pastor in Hoen-gen near Aachen.	<i>Matr.</i> II, 912 (571, 6) <i>Buch Weinsberg</i> I, passim; V, 503 Cottineau, <i>Repertoire topobibl. des abbayes et prieurés</i> Macon, 1939
1538	Johannes Berkei de Herfordia	Matriculated at the Univ. of Cologne as a student of the Kronenburse.	<i>Matr.</i> III, 113, Nachtr. no. 190 <i>Buch Weinsberg</i> I, 130 Hässlin ed., p. 107

Year of Entrance	Name	Biographical Information	Sources
1538	Peter Berg de Leodio (Liège)	Entered the Univ. of Cologne on July 13, 1535 as a student of the Kronenbourse.	<i>Matr.</i> II, 932 (587, 3) <i>Buch Weinsberg</i> I, 129, 130 Hässlín ed., p. 107
1538	Arnold Deus de Daventria	Matriculated on June 27, 1538, as a student of the Kronenbourse.	<i>Matr.</i> II, 951 (596, 112) <i>Buch Weinsberg</i> , Hässlín ed., p. 108
1538	Johannes Hasse de Lübeck	Matriculated on March 2, 1538 as a student of the Dwergh College. In 1543 he was the senior student in the Kronenbourse.	<i>Matr.</i> III, 113, Nachtr. no. 1904 <i>Buch Weinsberg</i> , Hässlín ed. pp. 135 and 107
1538	Thomas Romer de Juliaco (Jülich)	Magister Thomas entered the University of Cologne on Oct. 27, 1534. Was also pastor in Lövenich. In 1538 we find him as a boarder in the Kronenbourse.	<i>Matr.</i> II, 928 (583, 27) <i>Buch Weinsberg</i> I, 129 Hässlín ed., p. 107
1538	Stephanus Vell	Entered the Univ. of Cologne on Apr. 28, 1535 as the son of a provost of St. Kunibert of Cologne. In 1538 he is a boarder in the Kronenbourse and in 1548 we find him in Orléans.	<i>Matr.</i> II, 931 (585, 17) <i>Buch Weinsberg</i> I, 129 Hässlín ed., p. 107
1538	Valentinus Wyggerdes de Lübeck	Entered the Univ. of Cologne on Sept. 9, 1536. In 1538 he is a student in the Kronenbourse, leaves his studies to fight in the war and dies there.	<i>Matr.</i> II, 939 (591, 20) <i>Buch Weinsberg</i> , Hässlín ed. p. 105 ff.

1538?	Johannes Strubbe de Daventria	A student in the Kronenburse during the time of Weinsberg who calls him "ein konner und geschickter Gesell des rechten erfahren". Had a B. A. in law.	<i>Buch Weinsberg I</i> , 121—122, 141
1539?	Johann de Alckmar	Student of the Vorburg College.	<i>Regest.</i> p. 419, no. 1539
1539?	Johann Grothe de Lemgho	Student of the Vorburg College. He came from the Diocese of Paderborn.	<i>Regest.</i> p. 419, no. 1539
1539?	Mattheis Titz de Colonia	He was a <i>magister artium</i> & <i>baccalaureus iuris</i> and entered the Kronenburse as a boarder when Weinsberg was rector. He died when he was 68 years old.	<i>Buch Weinsberg II</i> , 382, V, 302
1540	Conrad Betzdorf (d. 1586)	Entered the Univ. of Cologne as a student of the Montanum on Oct. 6, 1533. In 1540 he became a boarder of the Kronenburse through Weinsberg. They received together their licentiate in law and Betzdorf became in 1570 <i>doctor utrius iuris</i> . He taught law at the Univ. & held prominent positions both at the Univ. and in the City. He died when he was about 68 years old.	<i>Allgemeine Deutsche Biograph.</i> II, 583 <i>Bianco I</i> , 510, 834 mit Anl. p. 335 <i>Matr.</i> II, 923 (579, 29) Keussen, <i>Univ.</i> , p. 90 <i>Buch Weinsberg I</i> , 116, note 4, I, 143; III, 301; I, 207
1540	Johann Bruenss de Daventria	Entered the Univ. of Cologne as a student of the Faculty of Arts. In 1540 he came to the Kronenburse to study law.	<i>Matr.</i> II, 959 (603, 1)
1540?	Hermann Tilmann van der Duissel (d. 1570)	Ca. 1540 he became one of the prebendaries in the Kronenburse. He died on Aug. 27, 1570.	<i>Matr.</i> II, 899 (561, 8) <i>Buch Weinsberg I</i> , 143; II, 210

Year of Entrance	Name	Biographical Information	Sources
1542	Alard or Albert Jacobs de Alckmar	Entered the University of Cologne in Sept. 1531. Was a student of the Vorberg College. Became a masser & priest in 1538 and the senior student in the Kronburse in 1542.	<i>Matr.</i> II, 912 (571, 8) <i>Buch Weinsberg I</i> , 178; Hässlin ed. p. 132
1542	Leo Gilkens de Leodio (Liège)	Entered the Univ. of Cologne on Oct. 15, 1537. In 1542 he is a student in the Kronburse and received a licentiate and doctorate in law. In 1545 he is in Orléans (cf. Album 16).	<i>Matr.</i> II, 944 (596, 1) <i>Buch Weinsberg I</i> , passim Hässlin ed. pp. 132—33
1542	Henricus Lindemann de Herfordia	Matriculated in 1542 as a student of the Kronburse. He was killed in a quarrel by one of his fellow students.	<i>Matr.</i> III, 115, Nachtr. 1932 <i>Buch Weinsberg I</i> , 169—70 Hässlin ed., p. 125
1543	Georg Honderlai de Bilveldt	Entered the Univ. of Cologne on May 5, 1539 and studied from 1543 to 1547 in the Vorburg College.	<i>Matr.</i> II, 957 (602, 15) <i>Regest.</i> p. 443, No. 3334 and No. 3360
1546	Laurenz de Alckmar	Entered the University of Cologne on Oct. 4, 1546, as a student of the Vorburg College. The receipt of one of his stipends amounted to eight Gulden de gold.	<i>Matr.</i> III, Nachtr. No. 1955 <i>Regest.</i> p. 443, No. 3334 and No. 3360

1546	Jacobus de Oeden- burch	Entered the Univ. of Cologne as a student of the Vorburg College. Received the same stipend as Laurenz de Alckmar.	<i>Matr.</i> III, Nachtr. 1956 <i>Regest.</i> p. 443, No. 3334
1546	Jodocus Haneboym de Herfordia	On April 30, 1546, he was nominated as a candidate for the Dwerg College and on June 30, 1546, he was informed that he could not be admitted to the Univ. of Cologne for the Dwerg College because he did not complete his studies in Herford.	<i>Matr.</i> III, 116 <i>Regest.</i> No. 3335 and No. 3349
1556	Caspar Aldenreich de Colonia	Entered the University of Cologne as a student of the Vorburg College and later was Professor of the Institutions in the University of Wittenberg.	<i>Matr.</i> II, 1107 (672, 55) <i>Regest.</i> p. 447, No. 3360 W. Friedensburg, <i>Geschichte der Universität Wittenberg</i> , Halle a. S., Niemeyer, 1917

DOCUMENTS OF THE KRONENBURSE (1430—1578)

The following four documents are edited on the basis of the available manuscripts. The earliest manuscripts, *Univ. 327*¹ and *Univ. 327a*,² are found in the *Historisches Archiv der Stadt Köln*. The former is the earliest of all the manuscripts and contains the first three documents (the two *Testamenta* and the *Statutes*), and will be used as the basic manuscript in the edition of these three works. The second ms., *Univ. 327a*, is written later, but it has the advantage of containing all four documents (the two *Testaments*, the *Statutes*, and the *Reformatio Bursae Coronarum*). This manuscript also will supply us with the numbering of the articles which we have followed. Dwerg's *Testamentum* is also present in the ms. *Univ. 25* (formerly 58), ff. 119—126, located in the *Historisches Archiv der Stadt Köln*, and we will note its variants in editing that document. Finally, Vorburg's *Testament* is contained in a third ms., *Univ. 319*, ff. 15v—18v (found in the same *Archiv*), and in our edition of this Testament we will also supply its variants.

¹ Ms. *Kölner Archiv, Univ. 327*:

- Title*: Manual of the Provisors of the *Kronenburse*.
Material: ff. 23 numbered, ff. 1—16 parchment, ff. 17—23 paper.
Measure: 228 × 175 mm.
Century: late 15th and early 16th.
Binding: Embossed brown leather binding with remnants of metal clasps.
Hands: A large vertical hand with decorated and rubricated initials for the first 12 folios; rest in various cursive hands.
Languages: Latin and mediaeval German.
Contents:
 f. 1r: Iuramentum.
 ff. 1r—3r: Evangelia.
 ff. 4r—12v: Statuta.
 ff. 13r—19r: Testamentum Herm. Dwerg.
 ff. 20r—22r: Testamentum Joh. Vorburg.
 ff. 22v: Stipendia de Collegio Vorburg.
 ff. 23r—23v: Excerptiones de actis bonorum.

² Ms. *Kölner Archiv, Univ. 327a*:

- Title*: Book of Jacobus a Triest of Nymwegen, Rector of the *Kronenburse*.
Material: Paper, ff. 35 numbered and 11 blank sheets.
Measure: 162 × 224 mm.
Century: early 17th.
Binding: Embossed parchment binding with remnants of ribbons for closing book.
Hand: One clear and legible hand, names of persons and folio 35 are written in mediaeval German script.
Languages: Latin except for last folio which is in mediaeval German.
Contents:
 ff. 1r—16r: Statuta Bursae Coronarum Coloniae.
 ff. 16r—18v: Reformatio Bursae Coronarum facta anno 1578.
 ff. 19r—30v: Testamentum Herm. Dwerg.
 ff. 31r—34v: Testamentum Joh. Vorburg.
 ff. 35r: De vigiliis et missis pro Joh. Vorburg.

The letters we will use to indicate the manuscripts are:

A = *Univ. 327.*

B = *Univ. 327a.*

C = *Univ. 25* (formerly 58).

D = *Univ. 319.*

I

TESTAMENTUM DOMINI HERMANNI DWERGH,
PROTHONOTARII APOSTOLICI, FUNDATORIS COLLEGII
DUODECIM CORONARUM IN COLONIA ET SIMILITER IN
HERVORDIA

Domine, qui dixisti "nolo mortem peccatoris," miserere mei.

Hanc precationem praemisit dominus testator.¹

Cum nihil sit certius morte et incertius eius hora, ob hoc ne intestatus decedam, desiderans diem mortis testamenti factione praevenire, Ego Hermannus Dwergh, prothonotarius ordino et facio testamentum meum et ultimam meam² voluntatem, prout inferius manu mea conscribetur.

1. Inprimis si contingat me mori³ in alma urbe⁴ Romana desidero funus meum sepeliri in Ecclesia⁵ Mariae Maioris, in loco ubi executoribus meis infrascriptis videbitur: ita tamen quod sepulchrum meum non sit in aliquo ultra terram elevatum, et ibidem fient exequiae simpliciter absque pompa et absque sermone. Sed placeat praesentibus pias preces effundere pro defuncto.

2. Descendens autem ad distributionem rerum, in primis autem⁶ lego et relinquo Sanctissimo Domino nostro Domino Martino papae Quinto, cuius multis annis familiaris fui, Decretum meum magnum et Librum Beati Augustini *De civitate Dei*.

3. Item, fui alias per integrum annum in via et in Anglia, missus ad Angliam cum quatuordecem equis, et fuerunt mihi promissi pro quolibet equo vnus⁷ tria ducati et habui solum et dumtaxat duo centum florenos

¹ Hanc . . . testator *om.* C.

² meam *trp. p.* voluntatem C.

³ mori/decedere C.

⁴ urbe *trp. p.* Romana C.

⁵ Ecclesia/sanctae *add.* C.

⁶ autem *om.* C.

⁷ unus/una C.

residuum restat. Si igitur in aliquo in camera obligarer, fiat compensatio, et si aliquid desit,⁸ solvatur.

4. Item, volo et ordino quod illa parva domus quae cohaeret palatio meo sive domui meae, quae quondam fuit gratiose servitutis domini Laci, prioris Sancti Angeli de Viterbio, separetur⁹ ab illa domo magna et sit domus¹⁰ per se, et murent et¹¹ portae, per quas intratur ad illam domum tam in horto, quam superius supra cellarium meum quod extruxi. Illud solarium cum granario¹² et sala volo remanere cum magna domo, cum omnibus cameris.

5. Istam domum parvam sic separatam cum duabus partibus horti et¹³ retroiacentis do et lego pro animabus omnium Christifidelium, parentum meorum,¹⁴ et mea, et pro animabus omnium quorum bonis usus sum et quos unquam defraudavi, Monasterio Sanctae Mariae de populo in urbe Romana, ut ibidem perpetua memoria fiat.

6. Tertiam autem partem ipsius horti volo cum magno palatio remanere, ut fiat per murum prope puteum unus ascensus ad illam cameram in fine horti positam, quam volo cum palatio remanere..

7. Item, do, lego, et relinquo domum meam magnam, in qua habito, cum illa camera in horto alterius domus parvae et cum salario, granario, sala, et cameris, stabulis, puteo, capella, studio, et omnibus aliis attinentiis, cum modificatione et restrictione, infrascriptis canonicis et capitulis Basilicae Ecclesiae Sancti Petri de urbe et Sanctae Mariae Majoris pro aequalibus partibus, sic quod perpetuo fructum exinde proveniente inter se aequaliter dividant.

8. Rogo tamen et supplico quod singulis annis in ipsis ecclesiis divisim singuli per se die qua contingat¹⁵ me ab¹⁶ hac luce decedere, dicantur vigiliae mortuorum et de mane missa pro defunctis, pro animabus omnium, ut supra distinctum est in alio capitulo.

9. Item, volo quod illa domus nullo unquam tempore possit donari, vendi¹⁷ aut permutari seu quovis modo alienari. Quodsi forsan contrarium

⁸ desit/deficit BC.

⁹ separetur/separaretur C.

¹⁰ domus/de *add.* C.

¹¹ morent et/murentur C.

¹² granario/penurio AB.

¹³ et *om.* C.

¹⁴ meorum *om.* C.

¹⁵ contingat/continget C.

¹⁶ ab/de C.

¹⁷ vendi *trp. p.* possit C.

fieret, et ipse¹⁸ hoc attentans cadet a parte sibi legata et applicetur monasterio conventus Sanctae Mariae,¹⁹ et ad illud pars convenientis²⁰ devolvatur²¹ ac si ipsi legata²² extitisset a principio.

10. Item, volo et ordino quod singulis annis solvantur per ipsa duo Collegia Sancti Petri et Sanctae Mariae intra²³ festa Nativitatis et Epiphaniae Domini triginta ducati auri de camera pro subsidio dotis unius virginis, singulis annis maritandae, eligendae per executores meos aut unum ex illis, aliis de medio sublati, quibus etiam fiet solutio²⁴ triginta ducatorum.²⁵ Eis autem defunctis aut absentibus a Romana curia, fiat solutio illorum triginta ducatorum reverendis patribus dominis Hostianensi et Prenestinensi episcopis et cardinalibus aut, eis non existentibus, duobus senioribus ex²⁶ presbyteris cardinalibus, qui inter eos fuerunt, et illi²⁷ habebunt ipsam puellam eligere. Quorum²⁸ si fors curia in urbe Romana²⁹ non resideret, tunc fiet solutio illorum triginta florenorum priori Sanctae Mariae Novae, et ipse illam³⁰ virginem habebit tunc eligere. Et intellige curiam in Roma residere si fors se ad tempus causa recreationis ad aliquem locum patrimonii³¹ absentasset, ad ipsam de proximo reversura. Attendant tamen, et sint eorum conscientiae oneratae, ut talis puella assumatur ubi credunt secundum Deum utilius convenire.

11. Item, volo et dispono, ut eadem³² ipsa capella Sancti Petri et Sanctae Mariae singulis etiam annis teneantur solvere infra dicta festa priori Monasterio Sanctae Mariae Novae qui fuerit pro tempore decem florenis Romanis triginta tria bonis pro florenis.³³ Et si negligentes forent ut in ipsis terminis ipsos triginta ducatos et decem florenos non solverant, eo ipso cadant a legato ipsiusque³⁴ domus et applicetur conventui ipsius Monasterii Sanctae Mariae Novae.

¹⁸ et ipse/eo ipso AC.

¹⁹ Mariae/Novae *add.* C.

²⁰ convenientis/contravenientis BC.

²¹ devolvatur/devolaratur C.

²² ipsi legata/ipso legato C.

²³ intra/infra C.

²⁴ solutio/illorum *add.* C.

²⁵ ducatorum/florenorum C.

²⁶ ex *trp. p.* duobus C.

²⁷ illi/ipsi B.

²⁸ Quorum/quodsi C.

²⁹ Romana *trp. p.* curia C.

³⁰ ipse illam/ille ipsam C.

³¹ patrimonii/se *add.* C.

³² eadem *trp. p.* ipsa C.

³³ Romanis . . . florenis *om. (hom.)* C.

³⁴ ipsiusque/ipsius C.

12. Si vero curiam Romanam ab urbe abesse contingeret, tunc solvantur solum pro ipsa puella maritanda singulis annis viginti ducati et non plus, et ipsi conventui Sanctae Mariae Novae sex floreni Romani.

13. Et rogo quod³⁵ singulis annis die qua contingeret me ab hac luce decedere in ipso Monasterio Sanctae Mariae Novae fiant vigiliae et de mane missa pro defunctis pro animabus omnium, ut supra.

14. Et si ipsam domum meam propter non solutionem³⁶ ipsorum triginta [ducatorum] et decem florenorum ad ipsum Monasterium Sanctae Mariae Novae devolui contingeret, teneantur ipsi de conventu eodem modo et sub eisdem poenis³⁷ triginta ducatos annuatim exsolvere domino Archipresbytero Ecclesiae Sanctae Mariae Maioris, qui ut in³⁸ plurimum cardinalis esse solet, et ille ex tunc habebit perpetuo illam puellam eligere et assumere.

15. Item, cupio, ordino, atque volo ut me defuncto, si me in urbe aut patrimonio mori contingeret et non alias, in ipsa Ecclesia Sanctae Mariae Minoris³⁹ ordinetur unum altare sive una vicaria pro duobus capellanis sive presbyteris ad honorem et sub vocabulo Sancti Salvatoris et beatae Mariae Virginis, quorum presbyterorum quilibet ter in septimana ibidem dicat missam pro bono statu universalis ecclesiae et animabus ut supra.

16. Et volo quod ipsi capellani sive presbyteri singulis diebus teneantur interesse horis canonicis in ipsa ecclesia decantandis, die Jovis qua eis vacare licebit exclusa, et qualibet die qua negligerent huiusmodi horis interesse, causa vero infirmitatis excepta, perdat quilibet eorum quatuor bonos Romanos, et illi capientur de fructibus beneficii sui et accrescant interessentibus divinis officiis in ipsa die, in ipsa ecclesia.

17. Et illi capellani sive presbyteri pro prima vice per executores meos infrascriptos assumentur et eligentur, et tunc assumentur per capitulum ipsius ecclesiae et illorum subsint correctioni perpetuo, et pro illo alteri fundando et instituendo relinquo domum meam in parochia Sancti Panthaleonis sitam, quae quondam fuit domini Dominici de Viterbio et in qua mortuus fuit dominus Cardinalis Tricariensis.⁴⁰

18. Item, ad hoc etiam relinquo omnes vineas meas sitas extra urbis portas in loco qui dicitur Alastasse.

³⁵ quod/ut C.

³⁶ non solutionem/negligentiam C.

³⁷ poenis/ipsos *add.* C.

³⁸ ut in *om.* C.

³⁹ Minoris/Maioris C.

⁴⁰ Tricariensis/Tricaricensis C.

19. Item, ad emendum librum, calicem et alia ornamenta pro ipso altari ego⁴¹ relinquo centum florenos de Camera, et si istam vicariam adiungere sive⁴² annectere volunt ad aliquod altare iam constructum, hoc sit liberum relictum arbitrio executorum meorum infrascriptorum.

20. Etiam advertatur, si forsitan pro maiori divini cultus augmento plus conveniret, ut in ipsa ecclesia accrescerent et instituerentur cum praedictis fructibus duae prebendae, et ipsi fructus domus et vinearum cederent in communi, et ipsi canonici cum aliis in perceptione communium fructuum integrentur⁴³ aut seorsim et separatim de ipsis fructibus viverent, sic tamen quod ad dicendum missas ipsas aequè bene septimanatim teneantur. Hoc etiam relinquo prudentiae ipsorum executorum meorum, qui super hoc cum dominis, capitulo, et canonicis, et aliis loqui et deliberare poterunt, et prout eis finaliter visum fuerit, fiat.

21. Item, do et relinquo illam parvum domum ex opposito domus meae magnae quam emi a Iohanne de marino hospitali Sancti Salvatoris apud Sanctum Iohannem Lateranensem.

22. Similiter relinquo eidem hospitali apud Sanctum Iohannem Lateranensem⁴⁴ tria centum florenos auri de Camera pro male ablatis,⁴⁵ pro animabus omnium illorum quos concernit, parentum meorum et omnium Christifidelium, qui convertantur ad usum et refectionem pauperum ibidem degentium.

23. Item, quantum suppetent facultates meae, volo et desidero fieri et institui⁴⁶ duo Collegia pro studentibus ordine infrascripto.

24. Volo igitur et desidero inprimis ut in Hervordia, loco nativitatis meae, in domo quam soror mea nunc inhabitat, instituatur unum Collegium pro duodecim personis et uno eorum rectore sive gubernatore et aptentur pro eis commoda et camerae, qui ibidem morentur, nutriantur et vestiantur semel in anno cum tabardo,⁴⁷ jopula et caligis⁴⁸ et quotidie ad scholas vadant, et ille rector Collegii curam de eis habeat ut honeste vivant. Et volo quod ipsi scholares et eorum rector omnibus diebus dominicis et festivis in decantandis horis assistant in Ecclesia Sanctorum Iohannis et Dionysii Hervordienne. Et volo quod nullus eorum excepto

⁴¹ ego *om.* C.

⁴² sive/et BC.

⁴³ integrentur/integrarentur C.

⁴⁴ Similiter . . . Lateranensem *om.* (*hom.*) C.

⁴⁵ ablatis/et *add.* C.

⁴⁶ et institui *om.* B.

⁴⁷ tabardo/tabardo B.

⁴⁸ caligis/calciis C.

rectore ultra quadriennium ibidem possit⁴⁹ remanere, quo elapso habitis literis testimonialibus a rectore de legalitate et virtutibus suis, ascendat ad Coloniam et ibidem recipiatur.

25. Et rogo ut singulis diebus post prandium et⁵⁰ post coenam, dictis gratiis, submissa voce dicant *Miserere mei, Deus*, cum collecta, quam unus eorum bassa et humili voce dicat: *Deus cui proprium est misereri*, etc.

26. Et ad istum usum Deo auxiliante perficiendum do et relinquo domum meam, quam soror mea cum ejus marito nunc inhabitat, una cum horreo quod ibidem construxi, et ibidem aptentur commoda et⁵¹ camerae, pro duobus una et pro eorum rectore una sola.

27. Si vero reverendus pater dominus episcopus Mindensis ad quem proprietas istius domus pertinet, eam forsitan redimeret solvendo pro quibus mihi obligatur et id quod pro eius edificatione exposui, cum⁵² illa pecunia ematur alia in loco ad hoc apto et commodo.

28. Assumptio autem istorum scholarium et⁵³ rectoris correctio et rationalis exclusio ubi excessus eorum hoc requirerent, spectabit perpetuo ad hebdomadarios Hervordieneses pro tempore existentes.

29. Et volo quod istorum scholarium duo sint de Hervordia, duo de Colonia, duo de Leodio, duo de Vratislavia, duo de civitate Lubecensi, et duo de Daventria. Ubi autem tales non venirent nec instarent, assumantur aliunde, et semel assumpti maneant ad completum et statutum tempus eorum. Et ad complendum ista⁵⁴ et perficienda⁵⁵ praedicta lego et relinquo quatuor milia florenos Rhenenses ad emendum possessiones et alia, etc.

30. Item, do et relinquo sex centum florenos de Rheno cum quibus emanantur possessiones aut usufructus in oppido Hervordienti aut aliis locis propinquis ad subsidium et pro subsidio dotis unius pauperis puellae in⁵⁶ ipso oppido oriundae, singulis annis maritandae. Et illam virginem habebunt assumere et eligere praesidens in consulatu Hervordienti pro tempore. Et si unquam consulatus dividetur, eligant

⁴⁹ possit *trp. p.* remanere B.

⁵⁰ et/post add. B.

⁵¹ et/fient add. C.

⁵² cum/pro C.

⁵³ et/atque C.

⁵⁴ complendum ista *om.* C.

⁵⁵ perficienda/perficiendum C.

⁵⁶ in/de C.

divisim et successive: primo illi de antiquo oppido, deinde illi de novo oppido, et assumatur omni affectione remota, ubi secundum Deum creditur utilius dispensari.

31. Et ad ista quae in ipso oppido Hervordienti expedienda sunt, tam quoad praemissa quam⁵⁷ ad sequentia, quoad illum locum ordino et facio executores meos hebdomadarios Hervordientes⁵⁸ pro tempore existentes, una cum proconsulibus sive⁵⁹ magistris civium pro tempore, juncto et assumpto Hermanno Joel marito sororis meae, quamdiu vivet in humanis.

32. Et volo quod rector ipsius Collegii ipsis executoribus meis de gestis⁶⁰ et administratis per eum claram teneatur reddere rationem omni anno.

33. Item,⁶¹ ordino et dispono ut aptetur horreum sive stabulum quod in domo in Hervordia construxi et ibidem fient commoda et si ille locus non sufficeret, ematur aliqua domus contigua quia intentio mea est ut ibidem aut alio loco apto acceptentur, nutriantur et perpetuo morentur sex personae valetudinariae, ad laborandum amplius inhabiles, de Hervordia natae si haberi possunt, alias aliunde, et aliquo deficiente assumatur novus et illis provideatur ut vitam absque penuria ducere possint. Et illorum electio atque assumptio ac etiam exclusio ubi patens defectus exigeret, perpetuo spectabit ad consulum istius oppidi Hervordiensis.

34. Et pro completionem istorum relinquo sex centum florenos Rhenenses cum quibus aptentur requisita, et sint executores supra nominati.

*De Collegio Coloniensi*⁶²

35. Item, desidero et ordino ut in civitate Coloniensi fiat et instituat unum aliud Collegium pro duodecim scholaribus et uno eorum rectore, quibus provideatur de vitae necessariis et una veste pro quolibet in anno, et habeant studere in sacra pagina aut jure canonico vel civili, et ibidem quinque annis singuli possunt permanere et non plus. Et intentio mea atque voluntas est⁶³ ut ista duo Collegia in Hervordia et in Colonia modo successivo⁶⁴ sive progressivo⁶⁵ se habeant, ita quod⁶⁶ primo in

⁵⁷ quam/ad *add.* BC.

⁵⁸ Hervordientes pro tempore *om.* C.

⁵⁹ sive/et B.

⁶⁰ meis . . . gestis *om.* C.

⁶¹ Item . . . Hervordiensis *om.* C.

⁶² De . . . Coloniensi *om.* C.

⁶³ voluntas est *om.* C.

⁶⁴ successivo/successive AC.

⁶⁵ progressivo/progressive AC.

⁶⁶ quod/ut A.

Hervordia in rudimentis⁶⁷ grammaticalibus imbuantur et demum ibidem completo cursu ad Coloniam ascendant. Nullus tamen in Colonia⁶⁸ de illis ascendentibus recipiatur nisi litteras testimoniales de bonis moribus et vita ab illis executis⁶⁹ in Hervordia ordinatis exhibeat. Et volo quod illi duodecim sint de eisdem locis prout prius Collegium in Hervordia instituendum nominat et⁷⁰ describit, illis non instantibus, aliunde. Et istos studentes habebunt⁷¹ eligere et assumere praepositus Sancti Andreae Coloniensis, decanus Sancti Severini Coloniensis, una cum duobus ex civibus civitatis Coloniensis quos scabini et consules pro tempore regentes in civitate Coloniensi ad hoc duxerint ordinandos.

36. Et illos praepositum et decanum qui pro tempore erunt una cum duobus ex consulatu ad hoc ordinandis facio et ordino executores meos ad illa quae in Colonia ordinanda sunt.

37. Et volo quod rector ipsius Collegii ipsis omni anno de gestis et administratis per eum teneatur reddere rationem praedictis praeposito et decano et deputandis duobus civibus, et studentes ipsi una cum rectore ipsorum subsint coercitioni, correctioni et etiam, ubi qualitas circumstantiarum exposceret, exclusioni. Et ad praedicta complenda in Colonia reliquo sex milia florenos Rhenenses cum quibus aptentur aptanda.

38. Item, do et relinquo sex centum florenos graves de Rheno, cum quibus emanantur possessiones, redditus aut ususfructus in subsidium dotis unius virginis annis singulis perpetuo maritandae in oppido Daventriensi, quae sit de illo oppido oriunda, et illam habebunt assumere decanus et capitulum ipsius ecclesiae Daventriensis, una cum duobus ex consulatu quos regentes ad hoc duxerint deputandos.

39. Item, do et relinquo omnibus ecclesiis et locis ubi beneficiatus sum totum id et quicquid mihi ex ipsis beneficiis meis ex consuetudine post obitum deberi posset, rogans ut in singulis⁷² ecclesiis fiat pro me, parentibus meis et omnibus Christifidelibus perpetua memoria.

40. Item, relinquo libros⁷³ meos omnes ubicumque existentes, tam in curia quam extra, de quibus specialiter non disposuero, ad Ecclesiam

⁶⁷ rudimentis/fundamentis C.

⁶⁸ tamen in Colonia *om.* C.

⁶⁹ executis/executoribus C.

⁷⁰ et/atque C.

⁷¹ habebunt/habent C.

⁷² in singulis/singulis illis C.

⁷³ libros meos *trp. p.* omnes C.

Sanctae Pusinnae Hervordensis, et volo quod ibidem fiat una libraria supra armarium jam inceptum et ibidem ponantur in catenis ferreis, sic quod alienari aut permutari non possint, alias cadent a legato et applicentur ipsi libri capitulo Ecclesiae Sancti Severini Coloniensis.

41. Item, desidero ut in ipsa Ecclesia Sanctae Pusinnae Hervordensis, in loco ubi hebdomadariis et executoribus meis praedictis videbitur, dicatur singulis diebus de mane tempestivae una missa ad notam de beata Virgine Maria per hebdomadarios et vicarios. Et volo quod ordinetur⁷⁴ quod omnibus interessentibus decantationi illius missae hebdomadariis singulis dentur tres panes, quorum unus sufficiat⁷⁵ pro esu unius hominis tota die, similiter celebranti missam totidem et cuilibet vicariorum interessentium duo similes panes.

42. Et ad hoc perficiendum relinquo quatuor centum florenos de Rheno cum quibus emantur possessiones, ut perpetuo dicti panes, ut praescriptum est, ministrentur.

43. Eodem modo volo et⁷⁶ cupio fieri in Ecclesia Sanctorum Iohannis et Dionysii Hervordensis quod omni mane in aurora dicatur missa ad notam de Domina nostra et interessentibus, videlicet praeposito,⁷⁷ et decano et celebranti, tres similes panes, singulis vero canonicis aliis et vicariis duo panes ministrabuntur.⁷⁸

44. Et ad hoc perficiendum relinquo alios quatuor centum florenos de Rheno, et sint executores prius in Hervordia nominati.

45. Item, desidero et volo quod emantur duo apparatus ad missam pro presbytero, diacono, et subdiacono; unus sit albus quo utantur in festo⁷⁹ beatae Mariae Virginis et aliarum virginum, alius sit de alio colore honesto, ut placet executoribus meis, et mittatur⁸⁰ ad ipsam Ecclesiam Sanctorum Iohannis et Dionysii Hervordensis pro anima mea et⁸¹ parentum meorum, quorum corpora ibidem requiescunt, et omnium Christifidelium. Et pro illis aptandis⁸² lego duo centum florenos auri⁸³ de Camera ut fiant ordinenturque in Italia et mittantur ibidem.

⁷⁴ ordinetur *om.* C.

⁷⁵ sufficiat/sufficit C.

⁷⁶ volo et *trp. p.* cupio C.

⁷⁷ praeposito/*et add.* B.

⁷⁸ ministrabuntur/ministrentur C.

⁷⁹ festo/festis C.

⁸⁰ mittatur/mittantur C.

⁸¹ et *om.* C.

⁸² aptandis/aptandum C.

⁸³ auri *om.* C.

46. Item,⁸⁴ do et lego ad perficiendam turrin ipsius Ecclesiae Sanctorum Iohannis et Dionysii ab olim inceptam duo centum florenos de Rheno.

47. Item, do et lego dilectae sorori meae, si ultra me in humanis permanserit,⁸⁵ quatuor centum florenos de Rheno in succursum status sui.

48. Item, do et lego ad Ecclesiam Sancti Thomae, sub qua⁸⁶ parochia moror, missale meum magnum, candelabra duo argentea minora et magnum alium apparatus ad capellam meam pertinentia,⁸⁷ pro anima mea et⁸⁸ parentum meorum.

49. Item, do et relinquo Reverendissimo Patri Domino⁸⁹ Cardinali de Comitibus unum de melioribus equis meis, et ipsius sit electio, et duo candelabra argentea maiora ad altare pro missa.

50. Item, do et relinquo Reverendissimo Patri Domino Iohanni Episcopo Cursiensi in signum amoris et dilectionis cartinas sive banchalia rubea cum duabus peciis ad dorsum de opere de Rentis et duo mensalia cum duobus⁹⁰ guardinappis et quatuor manutergiis, et sumantur meliora quae sunt inter omnes.

51. Item habeo Coloniae inter libros meos Clementinas de litera Italica pulchras quae sunt Domini Frederici Episcopi Chiemensis; rogo reddantur ei⁹¹ et in signum amoris lego sibi Novellas sex in membranis, si unquam aliquis error inter ipsum et me fuisset⁹² et placeat esse memor mei in orationibus suis.

52. Item, do et lego dilecto fratri et amico meo Domino⁹³ Hermannno Bans rectori Ecclesiae Sanctae Catharinae Osnaburgensis unum⁹⁴ cyphum de meis, valoris quinquaginta ducatorum, si aliquid inter ipsum et me aliqua consideratione restaret,⁹⁵ ut placeat orare pro anima mea.

53. Item,⁹⁶ do et relinquo Domino Io[hanni] Scallerman auditori unam de melioribus clossis meis, et ipse eligat et utatur pro dilectione in memoriam.

⁸⁴ Item . . . de Rheno *om. C.*

⁸⁵ permanserit/permittitur *C.*

⁸⁶ qua/cuius *C.*

⁸⁷ pertinentia/pertinentes *C.*

⁸⁸ et/ac *C.*

⁸⁹ Domino/Lucido *add. C.*

⁹⁰ duobus/duabus *C.*

⁹¹ ei/sibi *C.*

⁹² fuisset/fecisset *C.*

⁹³ Domino *om. C.*

⁹⁴ unum *om. B.*

⁹⁵ restaret/et *add. C.*

⁹⁶ Item . . . memoriam *om. C.*

54. Item, volo et ordino quod omnes vestes meae, tam in curia quam in partibus, distribuantur occulte inter pauperes virgines maritandas et pauperibus presbyteris ubi videbitur expedire.

55. Item, lectum meum pro persona mea cum duobus paribus linteaminum cultura, coopertorio, pulvinari et aliis attinentiis suis, et duo matraria de familiaribus cum duobus paribus linteaminum et duobus coopertoriis lego et do hospitali dominorum Anglicorum de urbe, rogans humiliter⁹⁷ ut in orationibus suis mei et parentum meorum habeant memoriam.

56. Item, do et relinquo⁹⁸ hospitali Dominorum Theotimicorum de urbe in agone domum meam contiguam cum domo domini Pauli de Iunenatio, quae fuit quondam domine Agnetis Iubilaei.

57. Item, lego et do⁹⁹ eidem hospitali omnes cortinas meas et banchalia alia¹⁰⁰ prius non legata.

58. Item, omnia vasa stannea et cuprea ad coquinam. Item duo caldaria de puteo. Item omnes scutellas stanneas cum vasis suis et singula de coquina caldaria et alia. Item, lego eis omnes alias¹⁰¹ maricias pro familiaribus cum omnibus attinentiis suis. Item, omnes tabulas et¹⁰² cistas atque buttas quas habeo in domo. Item, fenum et paleas et granum, si quid superest, eis lego.

59. Non intelligantur tamen legata argentea vasa ipsis, lecticas autem volo in singulis cameris remanere et cum ipsis domibus legatas censer.

60. Item vendatur argentum, tam in curia quam in partibus, opus ut solvantur legata.

61. Item¹⁰³ inter libros meos in Colonia est Archidiaconus in Rosario, qui spectabat ad dominum Richardum Episcopum Roffensem in Anglia; rogo ut per mercatores mittatur ad ipsam ecclesiam Roffensem et assignatur moderno episcopo.

62. Item lego omnibus familiaribus meis, cuilibet videlicet ipsorum triginta ducatos de Camera. Et volo quod post obitum meum decem dies maneant in domo mea expensis meis. Et rogo humiliter et devote, si

⁹⁷ humiliter/humaniter A.

⁹⁸ et relinquo/legoque C.

⁹⁹ lego . . . do *trp.* C.

¹⁰⁰ alia *om.* BC.

¹⁰¹ omnes alias *om.* C.

¹⁰² et *om.* C.

¹⁰³ Item . . . episcopo *om.* C.

aliquem ipsorum unquam scobavi aut offendi, quod mihi omnes ignoscant.

63. Etiam volo quod pauperes numero¹⁰⁴ ut denuo¹⁰⁵ solebam habere, etiam decem diebus reficiantur in domo, et ultima¹⁰⁶ die detur cuilibet¹⁰⁷ par sotularium, camisia cum attinentiis et sex grossi pro quolibet, ut Deum rogent pro anima mea.

64. Ex tunc evacuetur domus infra alios sex dies; assignentur legata hinc inde, illis sexdecim diebus elapsis tradatur possessio domus magnae capitulis Sancti Petri et Sanctae Mariae Maioris, et promittant velle implere voluntatem defuncti secundum omnem eius dispositionem.

65. Item, lego et relinquo ad complementum turris diu¹⁰⁸ inceptae¹⁰⁹ apud Ecclesiam Sancti Severini Coloniensis quinque centum florenos de Rheno.

66. Item, lego et relinquo quinque centum florenos de Rheno ad emendas possessiones, census sive usumfructum in civitate Coloniensi aut in propinquo in subsidium dotis unius puellae maritandae in civitate Coloniensi, et hanc perpetuo habebunt eligere¹¹⁰ consulatus Colonienses hortor et desidero ut eligatur ubi creditur¹¹¹ melius dispensari.

67. Item, relinquo quinque centum florenos de Rheno pauperibus Christi distribuendos per meos executores inter eos occultissime pro male ablatis,¹¹² pro animabus illorum quos unquam defraudavi, et secundum eorum conscientiam prout eis videbitur distribuantur.

68. Item, facio et ordino executores meos generales et speciales quoad omnia videlicet dominum Iohannem episcopum Curoniensem, dominum Iohannem Scallerman auditorem, et Iohannem Crevelt praepositum Sancti M[auricii extra muros] Monasteriensis, quibus volo omnem pecuniam meam et alia quaecunque integre assignari, illi ulterius faciant assignari¹¹³ aliis particularibus executoribus in partibus hinc inde deputatis, et do eis plenam potestatem priorem voluntatem meam ubi expediret et utilius disponi possent emendandi, corrigendi, mutandi.

¹⁰⁴ numero *om.* C.

¹⁰⁵ denuo/de die C.

¹⁰⁶ ultima/ultimo C.

¹⁰⁷ cuilibet/unum *add.* C.

¹⁰⁸ diu *trp. p.* inceptae C.

¹⁰⁹ inceptae/incepta A.

¹¹⁰ eligere/regensis sive *add.* C.

¹¹¹ creditur/cedatur C.

¹¹² ablatis/et *add.* C.

¹¹³ assignari/et *add.* C.

Et ubi legata ad usum¹¹⁴ ordinati completionem non sufficientia fuissent,¹¹⁵ minorem numerum personarum assumendi aut de uno loco detrahendi et ad¹¹⁶ alium addendi. Ad quod omnia plene facient, sicut ego possim si viverem. Et si quid in bonis meis superfuerit, distribuant occulte inter pauperes, prout videbitur secundum Deum faciendum. Haec est ultima voluntas mea et Testamenti dispositio, mutanda tamen, corrigenda et emendanda¹¹⁷ per executores meos ubi eis videbitur secundum Deum et bonam rationem agendum. In eius voluntatis meae¹¹⁸ iudicium et probationem praedicta manu mea propria conscripsi. Sub Anno Domini millesimo quadringentesimo trigesimo.

II

TESTAMENTUM DOMINI IOHANNIS VURBERCH JURIS DOCTORIS¹

1. Statuo et ordino quod in Scholis Iuristarum civitatis Coloniensis, si placet dominis de civitate, fundetur unum Collegium pro pauperibus studentibus in iure canonico aut civili, seu pro ipso fundando iaciatur unum fundamentum, pro quo fundando et initiando do et lego viginti florenos Rhenenses perpetui² redditus, quos habeo ad et supra domum sitam³ in vico appellato "In der univer gassen," nominatam "Danne".

2. Item, alios viginti florenos similes, quos habeo ad et supra domum sitam Coloniae in parochia Sancti Laurentii, ex opposito domus quam inhabitat Walterus van Dyrke.

3. Item, alios viginti florenos similes⁴ ad et supra domum sitam Coloniae infra parochiam Sancti Columbae in platea appellata *uffer breyder straessen*⁵ quam inhabitare consuevit quondam Roilkinus van der Ehren, et quia praedicti redditus emi possunt pro mille ducentis florenis Rhenensibus monete Electorum Imperii, ordino quod si reemuntur quandocunque, ipsa pecunia convertatur in perpetuos redditus pro

¹¹⁴ usus/usum AB.

¹¹⁵ sufficientia fuissent/sufficerent C.

¹¹⁶ ad/ita C.

¹¹⁷ corrigenda et mendanda *trp.* B.

¹¹⁸ meae *om.* B.

¹ Testamentum . . . Doctoris/copia testamenti magistri Joannis Vorbergh D.

² perpetui/perpetim D.

³ sitam/Coloniam *add.* D.

⁴ similes/quos habeo *add.* D.

⁵ *uffer breyder straessen*/an der breider strassen B.

Collegio praedicto⁶ in civitate Coloniensi vel extra, de consilio decani Facultatis utriusque Iuris et provisorum eiusdem studii, prout melius et securius emi poterunt.

4. Item, ad praedictum Collegium do et lego omnes libros meos⁷ et partem utensilium domus meae ad hoc deputandam.

5. Item, volo et ordino quod in praedicto Collegio super praedictis redditibus praesententur tres et recipiantur studenti iuxta modum infrascriptum, qui utantur et gaudeant in communi et fraternaliter omnibus redditibus, bonis, libris, domus utensilibus et aliis ad domum ipsam spectantibus et pertinentibus.

6. Item,⁸ burgimagistri et consules oppidi Alcmariensis in Hollandia, unde originem duxi, habebunt nominare et praesentare unum de tribus studentibus praedictis iuxta modum et formam infrascriptam.

7. Item, quod alium mihi habebunt praesentare Henricus de Beyerinck-hayven et eo mortuo eius filius primogenitus, ex quondam Elizabeth filia domini Iohannis Vurberch procreatus, et si non esset illi filius masculus ex eadem uxore neque nepos ex ea, praesentabit eum⁹ filia senior, sic tamen quod¹⁰ filius masculus, si sit, semper¹¹ excludat filiam, etiamsi sit¹² minoris aetatis.

8. Item, quod tertium mihi habebunt presentare Iohannes de Porta et eo mortuo eius filius primogenitus, ex Metella filia domini Iohannis Vurberch decretorum doctoris procreatus, et si non esset illi filius masculus ex eadem uxore, praesentabit eum filia senior, sic tamen quod semper filius masculus, si sit, excludat filiam, etiamsi sit minoris aetatis.

9. Item, quod si defecerint descendentes praedictis Henrico aut etiam Iohanni de Porta ex suis uxoribus legitime procreati, succedant in presentando personas praedictas eorum fratres et fratrum filii et illis deficientibus, eorum¹³ sorores et filiae¹⁴ sororum post fratres aut sorores et eorum filios et filias expirabit et cessabit potestas habendi praesentandi, et devolvetur ad dominos de Collegio utriusque iuris et provisos huius studii Coloniensis, qui tunc deinceps praesentare habebunt iuxta

⁶ praedicto *trp. p.* Collegio D.

⁷ meos/infrascriptos *add.* D.

⁸ Item/quod *add.* D.

⁹ eum/illum D.

¹⁰ quod/semper *add.* D.

¹¹ sit semper *om.* D.

¹² sit *trp. p.* minoris D.

¹³ eorum/ipsorum D.

¹⁴ filiae *trp. p.* sororum B.

statuta et ordinationes infrascriptas, et obtinebit praesentia eorum aut maioris partis ipsorum praesentium et interessentium.

10. Item volo et ordino quod si in futurum aliquo tempore oriatur dissensio sive discordia inter successores de iure praesentandi personam aliquam ad dictum Collegium, quod¹⁵ cognoscere et decidere debent et habebunt decanus pro tempore, et Collegium utriusque iuris simpliciter et de plano absque omni strepitu et figura iudicii, cognita sola facti veritate, infra duos menses a tempore vacationis loci. Et si¹⁶ infra illud tempus questionem decidere non poterunt,¹⁷ volo quod provisores studii pro illa vice habebunt nominare et praesentare personam¹⁸ pro tunc¹⁹ instituendo, sine praeiudicio evincentis in alia vocatione.

11. Item, volo et ordino quod nominatio et praesentatio personae idoneae ad²⁰ Collegium admittendae fiat decano et seniori doctori²¹ pro tempore residenti qui ipsam eis praesentatis si fuerit reperta idonea iuxta statuta et ordinationes subscriptas²² sine difficultate admittere debent, et in dicto Collegio investire gratis absque omni actione, salvo quod quilibet eorum a qualibet persona per eos admissa et admittenda possit exigere et recipere unum sextarium boni vini de quatuor albis denariorum Coloniensum et non ultra.

12. Item quod nominatio personae idoneae per illum ad quem spectat ad dictum Collegium fieri debet decano et seniori doctori de collegio infra mensem a tempore a quo vacatio loci in dicto studio publice innotescit. Quod si negligens fuerit praesentans praesentandi personam idoneam pro illa vice spectabit ad provisores studii sine praeiudicio ius habentis in alia vocatione.

13. Item quod nullus in dicto Collegio praesentetur neque praesentatus recipiatur nisi compleverit annum suum quindecim et viginta quinque non excesserit, et sit competenter fundatus in grammatica positiva et parvis logicalibus, ita quod sit congruus et bonorum morum et alias habilis, capax et docilis.

14. Item, quod in eodem Collegio nullus recipiatur qui habeat in certis redditibus annuis ultra viginta quinque florenos Rhenenses monetae

¹⁵ quod/illud *add.* D.

¹⁶ si *om.* D.

¹⁷ poterunt/poterint AD.

¹⁸ personam/idoneam *add.* D.

¹⁹ tunc/nunc CD.

²⁰ ad/dictum *add.* D.

²¹ doctori/lectori D.

²² subscriptas/infrascriptas D.

Electorum Imperii. Et si infra tempus suae promotionis ad tantam fortunam devenerit quod triginta florenos Rhenenses aut ultra de suis bonis consumere potest, ex tunc lapso anno infra mensem resignabit locum quem habuit²³ ad manus illius qui sibi illum contulit aut qui in locum suum successit, libere alteri personae idoneae per eum nominatae confundet. Et si circa praemissa dubium extiterit, recipiatur iuramentum ab ipsis per decanum et seniore[m] doctorem Collegii utriusque iuris antequam tales recipiant et admittant.

15. Item,²⁴ quicumque potestatem nominandi et praesentandi habuerit²⁵ in dicto Collegio se ipsum nominare et praesentare poterit, et admitti et institui debet, si alias habilis et idoneus fuerit.

16. Item, quod decanus facultatis utriusque iuris studii Coloniensis,²⁶ senior doctor Collegii residens pro tempore praesentatum ipsis²⁷ ad locum aliquem vacantem in dicto Collegio non admittant nisi prius praesentans per se vel suum procuratorem adeo²⁸ cum speciali mandato constitutum iuraverit quod nihil recepit neque de recipiendo convenierit, et ipse praesentatus per se ipsum iurabit quod nihil dedit vel promissit per se vel per alium pro hoc loco obtinendo.

17. Item, quod receptus in Collegio praedicto ultra septem annos non occupabit locum in eodem,²⁹ sive promotus fuerit infra illud tempus ad licentiam in facultate illa in qua studuerit sive non.

18. Item, quod quicumque in dicto³⁰ Collegio receptus per annum continuum se absentaverit ab eodem, infirmitate aut alia necessaria causa cessante, ex tunc locus ipse statim vacet ipso iure, et alius in locum ipsius nominari et praesentari ac investiri per illos ad quos pertinet, sine contradictione cuiuscunque, poterit et debebit.

19. Item, quod absens in dicto Collegio a tempore suae absentiae nihil percipiet de fructibus et redditibus Collegii, sed omnia cedent in utilitatem ipsius Collegii.

20. Item,³¹ quicumque receptus in dicto Collegio perverse mihi agere et versari ceperit, ita quod querela de ipso ad dominos rectorem Uni-

²³ habuit/in Collegio praedicto *add.* D.

²⁴ Item/quod *add.* D.

²⁵ habuerit/personam idoneam *add.* D.

²⁶ Coloniensis/et *add.* D.

²⁷ ipsis/ipsam D.

²⁸ adeo/ad hoc D.

²⁹ eodem/eo D.

³⁰ dicto *om.* D.

³¹ Item/quod *add.* D.

versitatis ac decanum facultatis utriusque iuris studii Coloniensis delata fuerit, ad dictamen dominorum de Collegio facultatis utriusque iuris aut maiori aut³² seniori³³ partim eorundem simpliciter³⁴ et sine omni strepitu per sententiam dictorum dominorum rectoris, decani facultatis predictae demoveri debet, et alius in locum ipsius per illos ad quos spectat infra mensem nominari et praesentari ac admitti et investiri debebit sine contradictione cuiuscunque.

21. Item, quicumque in eodem Collegio promotus fuerit ad gradum licentiae promittet bona fide loco iuramenti decano et seniori doctore dicti Collegii, quod dum ad pinguorem fortunam pervenerit iuxta gratiam et discretionem a Deo sibi datas aliquam faciet³⁵ retributionem suo arbitrio relinquendam Collegio praedicto, pro beneficio mihi percepto, in augmentum dicti Collegii convertendum.

22. Item, quod quilibet antequam recipiatur ad ipsum Collegium iurabit ad sancta Dei Evangelia servare et observare et observanda facere quantum in se est et ad ipsum pertinent, statuta et ordinationes per³⁶ provisos Collegii editas vel edendas.

III

STATUTA BURSARUM COLONIAE

Juramentum

Ego N., suppositum huius almae Universitatis studii Coloniensis, receptus ad praebendam in huiusmodi Collegio, iuro ad Sancta Dei Evangelia quod obediens ero in licitis et honestis, quamdiu fructibus huius praebendae gaudere voluero, dominis provisoribus et rectori huius¹ Collegii pro tempore, eorumque mandatis parebo ac honorem debitum impendam quodque hinc inde Collegio fidelis ero, eius bonum statum, honorem, profectum et utilitatem, ad quemcunque statum devenero, pro posse et nosse procurabo, damnaque eius iuxta posse impediam et amovebo, et quod statuta huius Collegii edita vel edenda in posterum per provisos, ordinationes, et consuetudines laudabiles post eorum vel earum publicationem sub obedientia provisorum et rectoris pro posse

³² aut/minoris partis ipsorum *add.* D.

³³ seniori/seniorum CD.

³⁴ simpliciter *trp. p.* seniorum D.

³⁵ faciet/facient AB.

³⁶ per . . . edendas/suprascriptas D.

¹ huius/huiusmodi B.

observabo, ac pacem, tranquillitatem et concordiam dicti Collegii in se et² in suis membris quibuscunque pro posse procurabo. Sic me Deus adiuvet, et haec sancta Evangelia.

Incipit³ Evangelium secundum Matheum [I, 1—16]. Liber generationis Iesu Christi, filii David, filii Abraham. Abraham genuit Isaac. Isaac autem genuit Iacob. Iacob autem genuit Iudam, et fratres eius. Iudas autem genuit Phares, et Zaram de Thamar. Phares autem genuit Esron. Esron autem genuit Aram. Aram autem genuit Aminadab. Aminadab autem genuit Naason. Naason autem genuit Salmon. Salmon autem genuit Booz de Rahab. Booz autem genuit Obed ex Ruth. Obed autem genuit Iesse. Iesse autem genuit David regem.

Davit autem rex genuit Salomonem ex ea, quae fuit Uriae. Salomon autem genuit Roboam. Roboam autem genuit Abiam. Abias autem genuit Asa. Asa autem genuit Iosaphat. Iosaphat autem genuit Ioram. Ioram autem genuit Oziam. Ozias autem genuit Ioatham. Ioatham autem genuit Achaz. Achaz autem genuit Ezechiam. Ezechias autem genuit Manassen. Manasses autem genuit Amon. Amon autem genuit Iosiam. Iosias autem genuit Iechoniam, et fratres eius in transmigratione Babylonis.

Iechonias genuit Salathiel. Salathiel autem genuit Zorobabel. Zorobabel autem genuit Abiud. Abiud autem genuit Eliachim. Eliachim autem genuit Azor. Azor autem genuit Sadoch. Sadoch autem genuit Achim. Achim autem genuit Eliud. Eliud autem genuit Eleazar. Eleazar autem genuit Mathan. Mathan autem genuit Iacob. Iacob autem genuit Ioseph, virum Mariae, de qua natus est Ihesus, qui vocatur Christus.

Incipit Evangelium secundum Marcum [I, 1—8]. Initium Evangelii Iesu Christi, Filii Dei. Sicut scriptum est in Isaia propheta: Ecce mitto angelum meum faciem tuam, qui praeparabit viam tuam ante te [Mal. 3, 1; Matt. 11, 10; Marc. 1, 2; Luc. 7, 27]. Vox clamantis in deserto: Parate viam Domini, rectas facite semitas eius [Isais. 40, 3]. Fuit in deserto Iohannes baptizans, et praedicans baptismum poenitentiae in remissionem peccatorum. Et egrediebatur ad eum omnis Iudaeae regio, et Ierosolimitae universi, et baptizabantur ab illo in Iordanis flumine, confitentes peccata sua. Et erat Iohannes vestitus pilis camelorum et zona pellicea circa lumbos eius, et locustas, et mel silvestre edebat.

² et/in *add.* B.

³ Incipit . . . veritatis (p. 286) / Hic sequebatur primum caput Evangelii secundum Mattheum. Deinde sequebatur caput primum Evangelii secundum Marcum. Deinde sequebatur caput primum Evangelii secundum Lucam. Deinde sequebatur caput primum Evangelii secundum Ioannem, ut supra annotatum est in indice B.

Et praedicabat dicens: Venit fortior me post me: cuius non sum dignus procumbens solvere corrigiam calceamentorum eius. Ego baptizavi vos aqua, ille vero baptizabit vos Spiritu sancto.

Incipit Evangelium secundum Lucam [I, 5—22]. Fuit in diebus Herodis, regis Iudaeae, sacerdos quidam nomine Zacharias de vice Abia, et uxor illius de filiabus Aaron, et nomen eius Elizabeth. Erant autem iusti ambo ante Deum, incedentes in omnibus mandatis et iustificationibus Domini sine quaerela, et non erat illis filius eo quod esset Elizabeth sterilis, et ambo processissent in diebus suis.

Factum est autem, cum sacerdotio fungeretur in ordine vicis suae ante Deum secundum consuetudinem sacerdotii, sorte exiit ut incensum poneret, ingressus in templum Domini, et omnis multitudo populi erat orans foris hora incensi. Apparuit autem illi angelus Domini, stans a dextris altaris incensi. Et Zacharias turbatus est videns, et timor irruit super eum. Ait autem ad illum angelus: Ne timeas, Zacharia, quoniam exaudita est deprecatio tua, et uxor tua Elizabeth pariet tibi filium et vocabis nomen eius Iohannem, et erit gaudium tibi et exultatio, et multi in eius nativitate gaudebunt; erit enim magnus coram Domino, et vinum et siceram non bibet, et Spiritu sancto replebitur adhuc ex utero matris suae et multos filiorum Israhel convertet ad Dominum Deum ipsorum, et ipse praecedet ante illum in spiritu et virtute Heliae ut convertat corda patrum in filios et incredibiles ad prudentiam iustorum, parare Domino plebem perfectam. Et dixit Zacharias ad angelum: Unde hoc sciam? Ego enim sum senex, et uxor mea processit in diebus suis. Et respondens angelus dixit ei: Ego sum Gabriel, qui asto ante Deum, et missus sum loqui ad te et haec tibi evangelizare. Et ecce eris tacens, et non poteris loqui usque in diem quo haec fiant, pro eo quod non credidisti verbis meis, quae implebuntur in tempore suo. Et erat plebs expectans Zachariam, et mirabantur quod tardaret ipse in templo. Egressus autem non poterat loqui ad illos, et cognoverunt quod visionem vidisset in templo. Et ipse erat innuens illis, et permansit mutus.

Incipit Evangelium secundum Iohannem [I, 1—14].

In principio erat verbum, et verbum erat apud Deum, et Deus erat verbum. Hoc erat in principio apud Deum. Omnia per ipsum facta sunt et sine ipso factum est nihil quod factum est. In ipso vita erat, et vita erat lux hominum. Et lux in tenebris lucet, et tenebrae eam non comprehenderunt. {

Fuit homo missus a Deo, cui nomen erat Iohannes. Hic venit in testimonium ut testimonium perhiberet de lumine, ut omnes crederent per illum; non erat ille lux sed ut testimonium perhiberet de lumine. Erat

lux vera quae illuminat omnem hominem venientem in hunc mundum; in mundo erat, et mundus per ipsum factus est, et mundus eum non cognovit. In propria venit, et sui eum non receperunt; quotquot autem receperunt eum, dedit eis potestatem filios Dei fieri, his qui credunt in nomine eius; qui non ex sanguinibus, neque ex voluntate carnis, neque ex voluntate viri sed ex Deo nati sunt. Et verbum caro factum est, et habitavit in nobis. Et vidimus gloriam eius, gloriam quasi unigeniti a Patre plenum gratiae et veritatis.

Prooemium Executorum Testamenti Fundatoris

In nomine Domini. Amen

Nos, Iohannes Heesboem, praepositus Sancti Andreae, Iohannes Crysch, decanus Sancti Severini ecclesiarum Coloniensium, Everhardus Zyderich, burgimagister pro tempore, Henricus Haich, proconsul civitatis Coloniensis, Testamenti sive ultimae voluntatis quondam venerabilis et egregii viri, magistri et domini sedis apostolice prothonotarii, archidiaconi Hasbaniae, in ecclesia Leodiensi archidiaconi, praepositi Sancti Andreae, et decani Sancti Severini, in civitate Coloniensi ecclesiarum, dum vixit quondam magistri Hermannii Dwergh de Hervordia utriusque iuris doctoris, eximii Collegii Coronarum in civitate Coloniensi fundatoris, executores quoad illud Collegium studentiumque mihi existentium provisores et gubernatores, iuxta formam et tenorem Testamenti eiusdem, cuius una clausula sequitur in hunc modum, et est talis.

Item, volo quod praedictis praeposito et decano et duobus deputandis civibus studentes ipsi una cum eorum rectore subsint coercitioni, correctioni, et etiam (si qualitas circumstantiarum substiterit) exclusioni. Cum ergo consideratio ecclesiasticae utilitatis, iuris divini et humani ac naturalis hoc postulet et ex iusta dispositione testatoris arbitrium servandum sit et cum ab adolescentia viri proclivis ad malum sensualitas humana declinet, ut scribitur Genesis octavo [21: "sensus enim et cogitatio humani cordis in malum prona sunt ab adulescentia sua"], et etiam Collegium praedictum ad hoc sit fundatum, ut scholaribus quibus ibidem residentibus de vitae necessariis ea propter sufficienter est provisum, ut studiis litterarum in sacra theologia, iure canonico vel civili vel in artibus tamquam fideles operarii pro mercede sua, ut fructibus illius Collegii digne, laudabiliter, sine scrupulo conscientiae, summis vigiliis summaque diligentia (gratia Dei annuente) proficiant, ad honores et bonam vitam tendant, caste, sobrie vivere, a vitiis, moribus rusticilibus sed more clericorum abstinendo se habere debeant. Ideo intendimus

ab humana fragilitate zizania penitus amovere, quare ut extirpandis radicibus vitii deinde virtutum germen laudabile, unde fructus salutis provenient, inseramus, sic praecipimus et mandamus ut omnia et singula infrascripta Statuta cum eorum poenis diligentissime observentur, ut quos divinus timor a malo non revocat saltem temporalis poena a malo cohibeat. Quorum Statutorum tenor sequitur, et est talis.

Circa Rectoris Collegii Officium

1. Item, statuimus et ordinamus quod ipse rector pro tempore debet esse diligens in emendo tempore congruo carnes salsas, porcinas et bovinas, sal, ligna, carbones, alleca, strumulum et oleum et alia in Collegio necessaria.

2. Item, circa festum Remigii vel iuxta temporis exigentiam de candelis in mensa et in coquina habendis providere debet, sed non pro aliquo privato socio.

3. Item, rector ut praebendati in mensa honeste, morigerate, sine rixis aut inutilibus verbis comedant, bibant, scurrilia non proferant providere debet et contrarium facientibus poenam arbitariam imponat.

4. Item, rector temporibus quibus prandetur aut coenatur ianuam portae domus claudet, et nullus extraneus interim quod prandetur causa ibidem comedendi ad Collegium aut alias intromittatur. Quam portam prandio aut coena peractis iterum aperiet. Quod simili modo semper faciet de nocte principalem ianuam domus ab intra obice conserendo et de mane iterum aperiendo.

5. Item, rector neminem extraneum in Collegio huiusmodi ad habitandum sua propria auctoritate admittere praesumat, sed dispensationi provisorum huius Collegii hoc relinquat.

6. Item, rector singulos excessus omnium sociorum tempore congruo notare et calamo conscribere ac eis debitis horis, prout iustum est et expediens, proponere debet.

7. Item, rector praebendatos in illo tenere debet ut Statuta infrascripta observent, decenter conversentur, lectiones doctorum et aliorum legentium diligenter visitent, aliis scholasticis intersint actibus, et si rector aliquos in praemissis, ultra poenas inferius notatas, delinquentes inveni-
nerit, tunc immediate per suspensionem a portione tales corrigat, ut caeteri eorum exemplo territi similia facere non praesumant.

Circa praebendatos in huiusmodi Collegio

1. Item, primo statuimus et ordinamus quod nemo ad portionem vel locum in ipso Collegio prima facie admitti debet nisi iuxta formam dicti

Testamenti fuit natus ex una de sex civitatibus in dicto Testamento expressis et praesertim de illa civitate ex qua natus fuit ille in cuius locum cedere intendit, super quo si provisores hoc voluerint, praesentet litteras suae praesentationis a civitate sua et etiam litteram testimoni-alem suorum morum et virtutum a provisoribus Collegii Hervordiensis, et quod ibidem quatuor integris annis studuit, hocque iuraverit etiam, nisi per resignationes manus suae legaliter provisoribus vel alicui eorum promiserit, quod praesentia velit servare Statuta, per provisores edita et edenda, qui si eum licentiauerint, contra eos non reclamabit, et supra-scriptum praestiterit iuramentum, scilicet provisoribus et rectori semper reverentiam, obedientiam, et honorem ostendendo.

2. Item, receptus ad portionem rectori sex marcas Colonienses pro utensilibus et pro sociis decem marcas Colonienses pro beanio seu introitu infra octo dies antequam ad mensam admittatur solvere procurabit.

3. Item, praebendati semper de mane ante sextam horam surgere debent, qui si post illam horam in lecto reperti fuerint iusta cessante causa, per totum illum diem a portione erit suspensus.

4. Item, praebendati omnes lectiones omnium doctorum, ordinarie legentium, in quacunque facultate studuerint, omni die, sub poena trium maurorum, pro qualibet inaudita lectione solvendorum, diligenter visitabunt.

5. Item, praebendati, qui in altera facultate iurium tribus annis non studuerint, lectiones baccaliorum etiam si bis in die legent, sub poena et modo praetacto studiose⁴ visitare debent, sed in artibus omnes lectiones, tam formales quam materiales, et in theologia omnes sententias si cursores fuerint.

6. Item, nemo sub poena privationis suae praebendae in aliqua facultate post suam receptionem studere praesumat nisi de licentia et consilio dominorum provisorum vel rectoris.

7. Item, receptus ad huiusmodi Collegium infra tres menses immediate post receptionem sequentes debet habere illos libros, in quibus de mane per ordinarium et post prandium hora secunda legitur si iusta fuerit. Si in artibus, totum processum suae bursae; alioquin huiusmodi tempore lapso, si non habuerit, a portione suspendatur a rectore donec per dominos provisores secum fuerit desuper dispensatum.

8. Item, statuimus quod quilibet praebendatus, si in artibus studuerit, infra tres annos ad minus promoveri tenebitur in licentiatum et si in

⁴ studiose *om.* B.

iure in quarto anno in baccalarium. Et si in theologia, respondeat in quarto anno in vacantiis, et si brevius id facere potuerint, iuxta consilium rectoris facere tenebitur. Alioquin huiusmodi tempore elapso, de facto erit privatus portione nisi ob legitimam causam per provisos fuerit dispensatum.

9. Item, statuimus quod quilibet praebendatus omni quindena praebendati habeant unam repetitionem in domo inter se, cui omnes iuriste praebendati interesse debent, et singuli in ea responsale argumentum vel questionem facient ad materiam sine rixa vel clamore proponere debent. Haec servabitur hora et die congruentibus per rectorem ordinandis. Quam repetitionem senior primo faciat et sic consequenter singuli, et iuniores primo arguent, ut sic de iunioribus ad seniores fiat ascensus. Nec ibi alius alium propter eius ineptam locutionem vel responsionem derideat, et qui non interfuerit huic⁵ repetitioni dabit album. Et qui neglexerit vel omiserit repetitionem facere dabit duos albos nisi per rectorem fuerit dispensatum. Et ad huiusmodi actum nullus extraneus admittatur nisi de licentia rectoris vel seniorum.

10. Item, si quis praebendatus exercitium in Collegio pro extraneis privatim tenere voluerit, hoc ita facere potest quod caeteris praebendis nullum praestet impedimentum; si tamen praebendati velint interesse, poterunt⁶ nihil dando nisi liberaliter pro esculentis et poculentis.

11. Item, praebendati honeste, decenter in plateis, in domo, et alibi moribus et vestimentis conversari debent et incedere prout vita clericorum requirit, ac honestas conversationes et inter se mutuam dilectionem habere debent, conspirationes non facient⁷ contra quemcunque aut⁸ "tu mentiris" vel⁹ alia verba opprobriosa unus alteri nullatenus dicere praesumat, rixas non movebunt, nec se calce, pugno aut alio quocunque modo ledent vel percutient, vel partialitates inter se facient. Si quis culpabilis in his reprehensus fuerit, taliter corrigatur quod aliis horribile cedat in exemplum, scilicet poena suspensionis vel pecuniaria, iuxta delicti gravitatem.

12. Item, nullus praebendatus ex Collegio vel circa eius portam, rusticos vel quemcunque alium verbis opprobriosis, litigiosis vel lapidibus aut quocunque instrumento invadere aut irritare praesumat, sub poena suspensionis.

⁵ huic *trp. p.* repetitioni B.

⁶ poterunt/poterint B.

⁷ facient/faciant B.

⁸ aut/vel B.

⁹ vel/aut B.

13. Item, nullus praebendatus in Collegio vel extra Collegium, publice vel occulte, digam vel trusorium sub poena suspensionis a mensa nisi de venia rectoris vel si civitatem Coloniensem exeat, portare praesumat.

14. Item, praecipimus et statuimus quod nemo ex ipsis collegiatis, sub poena perpetuae suspensionis, aliquam mulierem suspectam ad Collegium introducat seu introduci procuret, nec aliquam aliam mulierem, sive honestam sive non, introducat, saltem ad cameram suam privatim, nisi de licentia rectoris vel eius vicem gerentis, sub poena unius albi.

15. Item, in Collegio nemo taxillare vel ad asseres cum taxillis ludere vel aliquem alium ludum fortuitum pro vino vel pecunia, nisi in ludis per rectorem admissis, sub poena suspensionis attemptare praesumat.

16. Item, si quis rectoris, Collegii aut alterius cuiuscunque socii rem aliquam etiam parvam furatus fuerit seu fraudulenter subtraxerit, occulte vel publice, rem furatam in integrum domino restituat, et quantam res furata valere estimatur, in tantum eundem fiscus cum rectore puniat in pecunia. Et nihilominus pro gravitate delicti ad arbitrium rectoris puniatur.

17. Item, nullus sub poena suspensionis clausuram, cuius sibi claves creditae non sunt, praeter scientiam rectoris temere vel per vim aperire praesumat, nec se, sub eadem poena, de quibus¹⁰ clavibus ad seram aliarum camerarum quam suae pertinentibus vel alias Collegii intromittat, et si quas aut habere contingeret, ad requisitionem, salvis tamen expositis, benevole resignabit, nec alicui extraneo vel Collegii socio non residenti aliquas claves ad ianuas Collegii pertinentes sine consensu rectoris vendere, resignare aut aliquomodo tradere debet.

18. Item, omnes praebendati ad unam mensam prandere et coenare debent nisi propter rationabilem causam per rectorem cum aliquo fuerit dispensatum, de mane, hora decima, nisi ieiunium fuerit, tum hora undecima, de sero hora sexta, et qui non venerit huiusmodi horis, portione carebit. Et tarde veniens comedet ea quae invenit in mensa nisi de gratia rectoris. Et volumus quod praebendati singuli pro tunc, secundum huius Collegii consuetudinem, *Benedicite et Gratias* devote dicant et legant, sub poena trium maurorum pro qualibet vice.

19. Item, statuimus quod nemo ad mensam sociorum hospitem quemcunque adducat nisi de scitu et licentia rectoris, sub poena trium solidorum.

¹⁰ quibus *om.* B

20. Item, nemo sociorum de cibis, potibus aut aliis ferculis quibuscunque ad vescendum in mensa positus plus quam uno prandio ore comedere et potare potest ullo modo, clam vel publice de mensa secum auferre praesumat, sub poena privationis unius hebdomadae.

21. Item, statuimus quod nullus in Collegio per Deum vel Christi vulnera aut sanctos aliquos aut animam suam vel per sanctam Dei genitricem Virginem Mariam aut alios sanctos vel alio quovismodo iurare, blasphemare vel quocunque modo alteri maledicere praesumat. Qui contrarium fecerit, solvet solidum quoties hoc contingat. Nec ullus sociorum contra rectorem vel eius vicem gerentem aut fiscum verba contumeliosa proferre vel cultellum extrahere, calce, pugno verberare, aut quovis alio modo vel colore eos ledere, irritare vel invadere praesumat. Contrarium facientes a portione suspendantur et non nisi per dominos provisores restituantur.

22. Item, praebendati in cameris suis; in transeundo sint quieti, absque strepitu ac rumore. Qui contrarium fecerit in die dabit solidum, et post horam nonam in nocte, album vel gravius, si protervitas delinquentis hoc requirat, puniatur.

23. Item, nemo sub poena suspensionis determinatis temporibus clausis Collegii portis, aliquo tempore aliunde Collegium exire vel intrare praesumat sine scitu rectoris.

24. Item, qui in domo suspecta vel alias taberna inhonesta in die vel in nocte deprehensus fuerit aut pernoctaverit, ita quod ad notitiam dominorum provisorum vel rectoris quocunque modo stante veritate pervenerit, a portione sit suspensus donec veniam mereatur.

25. Item, nemo per ianuam coquinae¹¹ versus plateam aut aliam¹² ab intus coquinam sine licentia rectoris vel ancillae intrare, exire vel in eadem residere praesumat, vel de familia rectoris eam regendo verbis aut factis increpando de defectibus suis se intromittat. Sed quidquid eis in aliquo defecerit, hoc rectori vel eius vicem gerenti, familia semper salva, referre et proponere debet. Qui contrarium facere attemptaverit a portione suspendatur.

26. Item, praebendati de sero a primo die Aprilis usque ad festum Servatii, hoc est, ad 13 Maii, semper in Collegio sint hora nona, post Servatii usque Assumptionis Mariae, hoc est, ad 15 Augusti hora media decimae, a festo Assumptionis usque ad Gereonem hora nona, post

¹¹ coquinae *om.* B.

¹² aliam *om.* B.

Gereonem usque ad 1 Aprilis hora octava. Nec extra illud pernoctare debent, sub poena suspensionis, vel ad arbitrium rectoris puniantur nisi ob legitimam causam per rectorem cum aliquo fuerit dispensatum.

27. Item, rectore quocunque tempore cameras sociorum visitante, quilibet sibi cameram suam incontinenti aperiet, ingressum et exitum ab eadem de eisdem¹³ sine contradictione patietur. Alioquin non obstante eius praesentia pro absente habebitur. Et rector eam propria auctoritate aperire potest, et si praesens repertus fuerit, a portione suspendatur.

28. Item, nullus sociorum nisi unam cameram in Collegio habebit, nec aliquem extraneum ad illam secum dormiendo per noctem vel habitando sine licentia rectoris suscipere debet. Nec socius cum socio Collegii in alia quam in camera, sua propria de nocte sine consensu rectoris dormire vel habitare praesumat; alias si tempore visitationis in camera sua non fuerit, habebitur pro absente. Et camerae vacantes secundum senium successive et gradatim singulis per rectorem assignentur. Quod si quis ad hoc deputatus et secundum senium ordinata recusaverit, tunc rector per se uni alteri de illa providebit.

29. Item, quilibet sociorum omni sero post horam nonam post requisitionem rectoris aut eius vicem gerentis sine contradictione ad cameram suam causa requiescendi ascendat, sub poena unius solidi.

30. Item, iuniores ad mensam in prandio et in coena servientes singula interim quod prandetur et, facto prandio, de camera vel de stuba ad coquinam iterum (ordinatim prout decet) portare debent. Quod si facere neglexerint aut in integrum non reportaverint vel in tempore ante vel post praesentes non fuerint, ad integram septimanam suspendantur.

31. Item, quilibet diebus festivis sub poena suspensionis unius septimanae missam devote audiat et pro suo fundatore oret, et Deus animae suae misereatur.

32. Item, statuimus ne aliquis praebendatus incedat in vestibulis brevibus aut alias in¹⁴ ordinate more rusticorum vel scurrarum, sed iuxta qualitatem suae promotionis ante et post honeste et clericaliter se habeat. Qui contrarium fecerit, prius monitus vel avisatus, a portione suspendatur quousque veniam mereatur.

33. Item, si quis aliqua utensilia ad Collegium spectantia fregerit, aut alias annihilaverit, infra octo dies illa solvendo sub poena duplici restituet.

¹³ de eisdem *om.* B.

¹⁴ in *om.* B.

34. Item, statuimus quod nullus sine licentia dominorum provisorum vel rectoris extra civitatem Coloniensem proficisci intendat, etiam ad unam noctem. Quodsi quis facere praesumpserit, suspendatur. Et si quis ultra mensem praeter tempus suae licentiae se absentaverit, tunc de facto a portione privabitur, et dabitur alteri.

35. Item, nullus sociorum nisi debitis rectori et illis de Collegio, si quae tenetur, omnibus solutis, sine omni consensu aliqua temeritate extra Coloniam vel alias recedere praesumat a Collegio. Quod si fecerit, rectori omnia bona sua, si quae habuerit, alienare, vendere et cuilibet sociorum creditorum, iuxta illorum bonorum facultatem, dummodo ad hoc requisitus fuerit, iustitia mediante, potest facere legalem solutionem.

36. Item, quilibet exeundo vel intrando Collegium ianuas ipsius, dempta porta anteriori diebus legibilibus, immediate post eius recessum claudet, sub poena unius solidi.

37. Item, statuimus quod nullus praebendatorum aliquem novitium seu beanum, post beani eius depositionem, quae fiet tantum in praesentia rectoris, contumeliose verbis vel factis in Collegio vel extra tractare seu cum aqua perfundere vel soleare, aut illi aliquam iniuriam vel molestiam inferre praesumat, etsi contrarium praesumpserit, per rectorem a portione suspendatur donec per provisos iterum restituatur.

38. Item, statuimus ne aliquis praebendatus, vigore praetactorum statutorum per rectorem suum demeritis exigentibus a portione suspensus, portionem una cum aliis praebendatis propria auctoritate reaccipere vel interim extra Collegium dormire aut, aliqua contra praesentia¹⁵ nostra statuta facientia, ex inobedientia seu pertinacitate aliquo modo attemptare praesumat; nec aliquis sociorum taliter suspensum interim sub eadem poena ad prandium vel ad coenam invitabit nisi per dominos provisos vel rectorem fuerit restitutus. Quod si quis contrarium attemptaverit, perpetuo propter eius rebellionem per dominos provisos erit a Collegio expellendus.

39. Item, volumus quod quando quis sociorum per rectorem aut eius vicem gerentem super nonnullis excessibus contra praesentia Statuta facientibus impetitus fuerit et negaverit, quod tunc ille, ut omnia cessent iurgia, per iuramentum suum facti veritatem contra se vel alium confiteatur super excessu; quod si non fecerit et postmodum per legitima documenta constiterit de contrario, a portione sit suspensus donec

¹⁵ praesentia *trp. p.* nostra B.

gratiam mereatur obtinere, et rector de illis et de omnibus¹⁶ aliis causis sociorum inter eos in Collegio existentium sine strepitu iudicii simpliciter et de plano cognoscere debet, et cuilibet iustitiam competentem, appellatione remota nisi tantum ad dominos provisores, fideliter administrare debet, et si quis contrarium facere praesumpserit, a portione suspendatur.

40. Item, volumus quod quilibet sociorum non promotorum exceptis quatuor senioribus quocunque tempore per rectorem vocatus fuerit, in singulis factis, aquam hauriendo, ligna portando, Collegium scobando, etc., in eodem necessaria communitati faciendo, sine replica obedienter manum apponet, salvis tamen eorum lectionibus nisi necessitas affuerit, sub poena suspensionis donec poenitentia ductus, humiliter de caetero facere attemptat.

41. Item, statuimus quod si aliqui praebendati delinquant extra Statuta praetacta nisi poena pecuniaria eos excuset, tunc tales delinquentes per suspensionem a portione vel penitentiam a rectore puniantur quod caeteri, eorum territi exemplo, similia facere non praesumant.

42. Item, capitula nova, ordinationes aut alia quaecunque contra praesentia Statuta facientia, sine consensu dominorum provisorum vel rectoris, nemo in toto vel in parte, sub poena perpetuae suspensionis, aliqua temeritate erigere¹⁷ vel excogitare, etiam efficere attemptet.

43. Item, ordinatus per rectorem in fiscum nullo modo sub poena duarum marcarum se opponat, sed onus obedienter in se suscipiat ac fideliter per iuramentum provisoribus praestitum suum officium iuxta commissionem sibi per rectorem factam exerceat, cui omnes socii ea propter verba vel facta contumeliosa non inferant aut ipsum derideant vel odio habeant. Quod si quis praesumpserit, a portione sit suspensus.

44. Item, statuimus et districte mandamus ipsi rectori quod has poenas diligenter exquirat, et poenae pecuniariae per eundem aut eius vicem gerentem vel fiscum irremissibiliter a sociis rigore exigentur, et in promptis pecuniis, fraude, dolo machinationibus quibuscunque seclusis, semper omni quindena Sabbato de sero ante octavam horam sine contradictione solvantur in utilitatem sociorum, salva tamen tertia parte, quae ad utensilia domus convertetur, et si quis praedictis die et hora non satisfecerit, ipsa die sequenti a portione erit suspensus quousque satisfecerit.

¹⁶ omnibus *trp. p.* aliis B.

¹⁷ erigere/exigere B.

45. Item, statuimus quod si quis praebendorum pannum sibi annuatim pro vestimento suo per dominos provisos sibi collatum alicui vendiderit, impignoraverit, alienaverit aut inde vestem iuxta dominorum provisorum mandatum, prout clericos decet, debitis temporibus ad hoc per rectorem requisitus fieri non fecerit et ad honorem collegii eam interim, quo ibi praebendatus extiterit, temporibus congruis personaliter non portaverit aut quocunque modo vel tempore suae residentiae antiquam tunicam vendiderit, de caetero omnibus suis vestimentis aliis futuris temporibus sibi debendis in perpetuum omnino carebit, et absens a Collegio pro maiori parte anni, sive de licentia provisorum vel¹⁸ non, nec vestimentum illius anni nec aliquos fructus in absentia percipiat; et novitius in primo anno vestimentum non habebit, quia praesumitur quod cum bonis vestimentis advenit, sed in ultimo anno habebit duo, ut honeste vestitus exeat.

46. Item, statuimus et districte omnibus et singulis praebendatis, virtute iuramenti per eos praestiti, praecipiendo mandamus ne ipsi vel aliquis eorum unquam aliquo modo per se vel alios, directe vel indirecte, verbo, facto, scriptis aut quovis ingenio vel quaesito colore aliquem quaerelose vel alias consulendo istis nostris Statutis in toto vel in parte, animo ea infringendi, corrigendi aut tollendi, aliqua temeritate diabolo suadente contravenire vel nobis aut rectori aliquas molestationes propterea desuper inducere praesumant, sed ea in omnibus et per omnia sine contradictione et murmuratione patienter sufferre et inter se firmiter observare debent. Quod si quis Deo avertente ita prout supra narratur hoc facere recusaverit et praemissorum temerarius violator extiterit nos, illius in hac parte reprobis ausibus obviare volentes, ipsum pro tunc periurio non obstante perpetue a praebenda sua ipso facto propter eius inobedientiam suspendemus, et statim extra Collegium tamquam rebellem et membrum putridum excludendo proiciemus et alteri idoneo de illa exemplo Christi providebimus, Mathei vicesimo primo [43] dicentis: "Auferetur a vobis regnum Dei et dabitur genti facienti fructus eius." Ergo in visceribus Iesu Christi vos caritative hortamur ut de caetero et semper solliciti et diligentes sitis in haec nostra servando Statuta praesentia, ne gratia Dei et nostra a vobis tamquam a contumacibus taliter auferatur. Quam Dei gratiam nobis omnibus ei obedientibus Deus in hac vita largiatur, deinde producens ad aetherea regna, qui sit benedictus in aeternum et in saecula saeculorum. Amen.

¹⁸ vel/sive B.

Hoc¹⁹ sequens statutum conventum est in antiquo libro statutorum. Hoc tempore ad modum necessarium miror qua de causa fuerit omissum, testor hoc Iacobus Hochstraten, pro tempore rector. Ita de verbo ad verbum convenisse anno 1544.

Item, statuimus et districte mandamus quod nullus sociorum qui semel in anno iuxta mandatum ecclesiae catholicae non communicaverit vel a iudice excommunicatus fuerit ad mensam caeterorum sociorum communionem aliqua temeritate se ingerere praesumat. Quod si fecerit, ad mensem sit suspensus, infra quam pro absolutione ex Christifidelium communione more Christianorum fideliter laborabit; alias talem, quod absit, sententiam privationis a praebenda sua tamquam aridum membrum perpetuis temporibus cum sua perdurante pertinacitate ipso facto concurrere volumus. Quare omnibus et singulis aliis sociis tunc prohibemus ne cum talibus excommunicatis iuxta decreta sanctorum patrum aliquando verbo aut scripto sub simili poena conversari attemptent.

IV

REFORMATIO BURSAE CORONARUM

facta anno 1578 in vigilia sancti Petri ad vincula per provisos consules ex mandato senatus Coloniensis et ex originali germanico in latinum translata.

Fuerunt autem tunc temporis huius Bursae provisos quatuor senior consules: dominus Constantinus Lyskirchius, dominus Iohannes Masius, dominus Melchior ex Mulhem, dominus Gerardus Pelegromius.

Usi sunt hi provisos in hac reformatione conficienda consilio clarissimi viri domini doctoris Petri a Scholtinga Steinwichii, primarii professoris iuris et syndici civitatis. Scripsit eam et manu sua subscripsit sigilloque publico confirmavit secretarius dominus Laurentius Weber.

1. Notum sit ac manifestum quod anno Domini 1578 in vigilia sancti¹ Petri ad vincula ordinarii provisos Universitatis ex singulari mandato amplissimi senatus urbis huius Coloniensis cum doctissimo et consultissimo domino Suffrido Petri LL. licentiato regente Bursae Coronarum ratione praebendorum praedictae Bursae concluderint atque constituerint hoc pacto ut is studiosos praebendatos qui mensem ipsius appetunt, temporis habita ratione et quoad victus meliori pretio haberi

¹⁹ These two paragraphs, written by a different hand, are found underneath the Statutes in ms. *Univ.* 327 only.

¹ sancti/Domini B.

possit, annuatim sexaginta communibus daleris pro victu ac disciplina sustentet, alat et iuxta normam infrascriptam regat.

2. Primo cum fundatio ipsa domini Hermanni Dwerch protonotarii quondam apostolici iam demortui (duodecim studiosos requirat, ea videlicet forma, modo et ratione ut in ipsa fundatione latius patet, ad quorum duodecim scilicet studiosorum) sustentationem deposuit apud amplissimum huius inclytæ urbis senatum in rationes annuas duo centum quadraginta florenos aureos, cuiusque aestimatio erat viginti sex albis rot. qui modo dalerum communem constituunt, aut quinquaginta duo albis quæ pecunia studiosis cum regente iuxta tenorem fundationis sufficiebat. Iam vero cum omnia mutarint et causa diuturnorum bellorum annona multum excreverit, ipse etiam præbendorum numerus negligentia Reipublicæ Erfordiensis ad decem redatus sit, constituerunt provisores qui supra ut illa pecunia duo centum quadraginta floreni aurei et ratione suspensionis studiosorum adauctæ summae viginti quatuor daleris faciunt simul duo centum sexaginta quatuor daleros² in forma ut sequitur æquissime expenderetur.

3. Debebit itaque reditus hic prædictus in duodecim distribui partes, ut præbendorum studiosorum (quorum ut supra decem personæ sunt) quisque portionem unam, regens cum familia pro oneribus ac privata disciplina duas portiones habeat. Competent sic cuilibet præbendato quotannis viginti duo daleri, regenti vero quadraginta quatuor.

4. Et hac constitutione nostra regens scilicet quadraginta quatuor daleris contentus erit, nec ullum amplius ex absentium accretione commodum sentiet, verum absentium studiosorum portiones præsentibus numerabuntur.

5. Immo quo maior in omnibus servetur æqualitas, debebit regens in præsentia præsentium præbendorum de iure accretionis singulis calendis conferre ac computare, ut quisque quid sibi ex absentium portionibus præter principalem portionem iure accretionis debeatur scire queat quidve ipsi in salutionem victus addendum præterea sit.

Exempli causa

6. Quando decem studiosi prædicti gymnasii Bursæ Coronarum sunt præsentes, unicuique ex portione quotannis viginti duo daleri debentur, eritque singulis calendis cuilibet unus et dimidiis dalerus, septdecim

² daleros/daleri B.

albi, quatuor obuli. Quos regens, si praebendati convictores fuerint, servabit sibi aut si propria quadra vixerint, ipsis numerabit.

7. Quod si unus studiosorum abfuerit, eius portio praesentibus studiosis accrescet, aequaliter inter eos dividenda. Atque ex unius absentis portione cuilibet annuatim competent duo daleri, viginti tres albi, ita ut hoc casu praesentes studiosi quotannis viginti tribus daleris, viginti tribus albis fruuntur, mensibus vero singulis duobus daleris, duobus albis.

8. In casu autem quo duo abfuerint, octo praesentibus absentium portiones duae accrescent, videlicet quadraginta quatuor daleri qui si inter eos distribuuntur, efficient quotannis unicuique viginti octo et dimidius daleri, singulis calendis autem duo daleri, quatuordecim albi, decem obuli.

9. Praeterea studiosis tribus absentibus, eorum portio sexaginta sex dalerorum similiter praesentibus competet, et quisque inde quotannis triginta daleros, viginti duos albos tres obulos percipiet, mensibus singulis duos daleros triginta duos albos.

10. Verum quod si quatuor absentes fuerint, sex praesentes absentium portionibus fruuntur, et ex iisdem quotannis commodum triginta sex dalerorum cum dimidio, septem alborum, singulis vero calendis trium dalerorum, duorum alborum, novem obulorum percipient.

11. Quinque vero absentibus, eorum dalerorum portio praesentibus accrescet, ita ut singuli praesentes quadraginta quatuor daleris, singulis mensibus tribus et demidies daleris, septem albis quatuor obulis frui valeant.

12. Ulterius autem ius accrescendi locum non habebit, possuntque praesentes qui regentis mensam desiderant cum regente quoad annona duraverit sexaginta daleris convenire, hac tamen appendice, si ultra quinque absentes fuerint, tunc quod reliquum fuerit pro dominorum provisorum arbitrio in emendationem gymnasii verti debet.

13. Ad haec statutum est ut omnes praebendati beneficio hoc gaudere cupientes iuxta tenorem statutorum ad praedicta gymnasii statuta se obligent ibique habitent et sub regente uno degant, quo regens de profectu eorum et studiis quocunque tempore percunctantibus aliis respondere valeat.

14. Nec minus studiosis praebendatis, quibus ad triginta sex immo quadraginta quatuor daleros absentium ratione eorum portio accrevit

(ut supra dictum est), competet apud regentem sibi victum emere pro ratione huius aut melioris temporis, ne vel praetextu quodam simulent se necessaria coempturos, pecunias acceptas inutiliter expendant, quo disputationibus aliisve mensalibus exercitiis interesse minus sit opus.

15. Caeterum ubi bursarii privilegiati triginta sex aut quadraginta quatuor daleris frui nequeant, liberum ipsis concedetur utrum de suo tantum addere et apud regentem sibi victum emere aut propria quadra vivere velint, hoc tamen modo ut qui sibi coqui curaverint pro lignis et carbonibus quotannis dalerem unum regenti Bursae pendant.

16. Porro ut de iure accretionis et decretionis dilucide cognosci queat, cautum est per dominos provisores ut advenientes privilegiati novitii si quando praesentantur, nihilominus tamen nisi incipiente novi mensis principio, commodo prae bendae frui valeant.

17. Regens autem in omnibus aliis casibus hic non expressis statuta vetera collegii et si quid hodierno tempore eisdem addi necessarium videbitur observabit.

Datum ut supra.

St. Bonaventure University

SR. M. JUSTINA GROTHE, S. M. I. C.

GODFREY OF FONTAINES: THE DATE OF QUODLIBET 15*

Prior to 1934 only fourteen Quodlibets of Godfrey of Fontaines were known. But in an article of that year, "Une question quodlibétique inconnue de Godefroid de Fontaines", O. Lottin indicated that a fifteenth had been discovered in a Louvain manuscript (Louvain Univ. G 30, fol. 241R—253R).¹ While successfully demonstrating the Godfridian authorship of the work in this article, Lottin found himself unable at that time to date it.² In the course of publishing this text in the series *Les Philosophes Belges* in 1937, Lottin appended an important note at the end of the text itself. On the basis of comparison with other manuscripts known to have been transcribed by Godfrey himself, he concluded that the manuscript in question was an autograph coming from Godfrey's own hand.³ Finally, writing in 1938, P. Glorieux succeeded in dating the work on the basis of some references therein to Disputed Questions 11 and 13 of Gonsalvus of Spain. Accepting 1302—1303 as the time when these questions were debated at Paris, Glorieux concluded that Godfrey's Q[uodlibet] 15 is to be dated at the earliest at Easter, 1303, and more probably in the following scholastic year, at one of the two times reserved for holding quodlibetal disputes, December,

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¹ *Revue d'Histoire Ecclésiastique* 30 (1934) 852—59.

² *Ibid.*, 859.

³ *Le Quodlibet XV et trois Questions ordinaires de Godefroid de Fontaines* (ed. by O. Lottin) et *Étude sur les manuscrits des Quodlibets*, by J. Hoffmans and A. Pelzer, in the series *Les Philosophes Belges*, T. 14 (Louvain, 1937), 76, Addendum. Cf. also J. Hoffmans, *Ibid.*, 304—7. Note that Dom De Bruyne of the Abbey of Maredsous first noted the inscriptions at the beginning and end of the text which attribute it to Godfrey. At his request Dom Lottin then studied the work and established its authenticity. Unfortunately, the manuscript containing Quodlibet 15 was lost in the Louvain University fire of 1940. Godfrey's other Quodlibets have appeared in the series *Les Philosophes Belges* in the following order: T. 2: *Les quatre premiers Quodlibets de Godefroid de Fontaines* (ed. M. de Wulf and A. Pelzer, Louvain, 1904); T. 3: *Les Quodlibet cinq, six, et sept* (ed. M. de Wulf and J. Hoffmans, Louvain, 1914); T. 4: *Le huitième Quodlibet* (Louvain, 1924), *Le neuvième Quodlibet* (Louvain, 1928), *Le dixième Quodlibet* (Louvain, 1931), all three edited by Hoffmans; T. 5: *Les Quodlibets onze et douze* (Louvain, 1932), *Les Quodlibets treize et quatorze* (Louvain, 1935), all edited by Hoffmans.

1303 (Christmas) or March, 1304 (Easter). Noting that it is not included in the official list of *exemplaria* made available in the bookstores and dated February 25, 1304, he concluded that it had not yet been published by that time.⁴

As Glorieux indicated, these findings are of great value for studying Godfrey's career. The chronology for the first fourteen Quodlibets covers the years 1285—1296 (or perhaps 1297). But then there is silence. It is known that Godfrey had been chosen bishop of Tournai in 1300, but renounced his claim, even though he had gone to Rome to support it. Moreover, a meeting connected with the Sorbonne of February 26, 1304, indicates that he was in Paris at that date. In the light of the newly discovered and newly dated Quodlibet, then, Glorieux went on to conclude that Godfrey had at that time (1304) returned to active duty as a Master. Q 15 is the proof, for it is the act of a *Magister regens*.⁵

Although Glorieux's dating of Q 15 has been more or less generally accepted since that time, there is a notable exception.⁶ In his detailed study of 1958, *Controversias acerca de la voluntad desde 1270 a 1300*, A. San Cristóbal-Sebastián found himself obliged to take up in detail the dating of a series of quodlibetal debates relating to his theme. In studying Quodlibets 9 and 10 of Henry of Ghent, he judged it necessary to challenge the accepted dating of the same by Glorieux. Glorieux had assigned Henry's Q 9 to Easter, 1286, and Henry's Q 10 to Christmas of that same year. As S[an] C[ristóbal] S[ebastián] notes, Lottin accepted

⁴ "Notations brèves sur Godefroid de Fontaines", *Recherches de Théologie Ancienne et Médiévale* 11 (1939), 171—2.

⁵ *Ibid.*, 172—3.

⁶ Antonio San Cristóbal-Sebastián, *Controversias acerca de la voluntad desde 1270 a 1300 (Estudio histórico-doctrinal)*, (Madrid, 1958). For indications of the many other changes with respect to chronology and authorship of important works during the second half of the thirteenth century proposed by the author and for varying reactions thereto cf. the reviews by: L. Bataillon, *Revue des Sciences Philosophiques et Théologiques* 44 (1960), 162—3; F. Van Steenberghen, *Revue Philosophique de Louvain* 61 (1963), 311—13; O. Lottin, *Bulletin de Théologie Ancienne et Médiévale* 8 (1960), 649—51; R. de Munain, *Verdad y Vida* 18 (1960), 531—47. For other recent writers on Godfrey who have at least provisionally accepted Glorieux's dating of Quodlibet 15 cf. R. Arway, "A Half Century of Research on Godfrey of Fontaines", *The New Scholasticism* 36 (1962), 198; B. Neumann, *Der Mensch und die himmlische Seligkeit nach der Lehre Gottfrieds von Fontaines* (Limburg/Lahn, 1958), 5; J. Wippel, "Godfrey of Fontaines and the Real Distinction between Essence and Existence", *Traditio* 20 (1964), 387; and Dom Lottin himself, *Psychologie et morale aux XII^e et XIII^e siècles*, T. I (Louvain, 1942), 326. On the other hand, P. Tihon, in his *Foi et théologie selon Godefroid de Fontaines* (Paris/Bruges, 1966), 10, note 1, stresses the hypothetical character of that dating. It appears to us, therefore, that the time has come to take up this question as to the date of Godfrey's Quodlibet 15 in some detail in the hope of casting further light on the matter.

this dating without question. But SCS finds that such would not allow for any prolonged period of controversy between the two Quodlibets, nor any opposed Quodlibet to which Henry would have replied. He suggests that the situation is more complicated. He proposes another quodlibetal intervention between Henry's QQ 9 and 10, which would have opposed his Q 9 and to which Henry would have responded in Q 10. In line with this he suggests that Henry's Q 10 be redated at Easter, 1287, thus leaving open Christmas, 1286, for the opposing quodlibetal intervention. And of greater interest to our immediate purpose, he then attempts to show that Godfrey's Q 15 should be placed here, at Christmas, 1286, as the work which criticizes Henry's Q 9 and to which the latter replies in Q 10.⁷

SCS is well aware that this goes against Glorieux's dating of Q 15 as of 1303—4. Another difficulty also presents itself with respect to SCS's suggested change. Glorieux had dated Godfrey's Q 3 at Christmas, 1286, which would leave no place for the insertion of Q 15 at that same time. SCS proposes that Q 3 be redated at Easter, 1287, that Christmas, 1287, be retained as the date for Q 4, and that Q 15 be inserted at Christmas, 1286. Moreover, he suggests that this new dating of Q 15 may explain why it was so long unknown. It would have belonged to a period prior to the official series constituted by Quodlibets 5—14. And if it is not referred to or included in the *reportationes* of the first four Quodlibets, this may be because it was not known to the particular writer responsible for drawing them up for us as we have them today.⁸

In attempting to substantiate this thesis, then, SCS must respond to the arguments offered by Glorieux in favor of 1303—4 as the date for Q 15. As has been indicated above, Glorieux argued on the basis of certain references in Q 15 to Disputed Questions 11 and 13 of Gonsalvus of Spain. Interestingly enough, SCS acknowledges the similarities between the passages pointed out by Glorieux. But he argues from these similarities to the opposite conclusion, to the view that Gonsalvus is actually dependent on Godfrey rather than the other way around.⁹ If

⁷ *Op. cit.*, 109—110. For Glorieux's dating of Henry's Quodlibets 9 and 10 cf. his *La littérature quodlibétique*, II (Paris, 1935), 375.

⁸ SCS, *op. cit.*, pp. 110—11. For Glorieux's dating of Godfrey's Q 3, cf. *La littérature quodlibétique*, I (Le Saulchoir, 1925), 150 and 153. For the point that the first four Quodlibets as we have them are in the form of *reportationes*, cf. M. De Wulf, *Un théologien-philosophe du XIII^e siècle: Étude sur la vie, les oeuvres et l'influence de Godefroid de Fontaines* (Brussels, 1904), 64.

⁹ Cf. SCS, *op. cit.*, pp. 111—118. In their respective discussions limitations of space apparently prevented both Glorieux and SCS from presenting

he can show that Gonsalvus is thus dependent on Godfrey in the passages in question, it will be clear that Glorieux's dating was incorrect, and that Godfrey's Q 15 must be prior to 1302—1303 (when these questions were disputed by Gonsalvus in Paris).

Our primary purpose here, therefore, will be to study the relationship between these texts of Gonsalvus and Godfrey in the light of the differing conclusions of Glorieux and SCS. However, should SCS be correct in holding that Gonsalvus is following Godfrey in these instances, this would not yet prove that Godfrey's Q 15 is to be dated at Christmas, 1286. The strongest evidence for this is offered by SCS in his attempts to show that Henry of Ghent's Q 10 (Christmas, 1286, according to Glorieux; Easter, 1287, according to SCS) directly replies to and presupposes Godfrey's Q 15. If such is true, then SCS will have added evidence for concluding that Q 15 is not Godfrey's last work (1303—4) and, moreover, for placing it among his earliest Quodlibets. This being so, we will divide our investigation into two major parts: 1) the relationship between Gonsalvus' Disputed Questions 11 and 13 and Godfrey's Q 15; 2) the relationship between Henry's Q 10 and Godfrey's Q 15.

I: The Relationship between Gonsalvus' Disputed Questions 11 and 13 and Godfrey's Q 15

As SCS indicates, Glorieux's argument consisted of two steps. 1) In Q 15, q. 10, Godfrey refers to six reasons offered in support of a position opposed to his own. These six reasons are found in Gonsalvus' Disputed Question 11. 2) In Q 15, q. 11, Godfrey lists four reasons advanced by those who hold that the agent and possible intellects are essentially one and the same power. Again, these four reasons are offered in favor of that position by Gonsalvus in Disputed Question 13. Hence Glorieux concluded that Q 15 was posterior to the Disputed Questions under consideration. Since they date from the academic year 1302—1303, he proposed Easter, 1303, as the *terminus a quo* for Godfrey's Q 15.¹⁰

Before considering in detail the two phases of Glorieux's argumentation, SCS seeks to discover the literary technique followed by Gonsalvus

detailed evidence for these similarities. Because they are so crucial for dating Q 15, however, we will be forced to examine them at some length.

¹⁰ For SCS cf. *op. cit.*, p. 111. For Glorieux, cf. "Notations brèves . . .," 171—72. On the date of Gonsalvus' Disputed Questions cf. also L. Amorós, ed. *Fr. Gonsalvi Hispani O.F.M., Quaestiones Disputatae et De Quodlibet* (Bibliotheca Franciscana Scholastica, T. IX, Ad Claras Aquas, Florentiae, 1935), LX—LXI; B. Martel, *La psychologie de Gonsalve d'Espagne* (Montreal/Paris, 1968), 28.

in writing his Disputed Questions. As a test case he singles out Disputed Question 12, which is admitted by all parties in the discussion to be chronologically posterior to Godfrey's Q 8. SCS will argue that the same literary technique is used by Gonsalvus in Disputed Questions 11 and 13 as well. According to SCS, this technique is quite simple. First there is an exposition of opinions on the point at issue; then Gonsalvus defends his own view by means of a dialectical procedure consisting of two moments, one indirect and one direct.¹¹ As SCS notes, the critical or indirect part of the proof can be of great value in attempting to date Gonsalvus' work with respect to others. If one can identify the author and text therein criticized, he has decisive evidence that such will be chronologically prior to Gonsalvus' own discussion. By application of this method, concludes SCS, one can be certain that Gonsalvus' Q 12 is posterior to Godfrey's Q 8. But instead of illustrating this textually, SCS immediately turns to the second moment, the direct proof, in comparing Godfrey and Gonsalvus.¹²

Here, then, and directly against Godfrey's view as expressed in Q 8, q. 16 (that freedom is to be granted to the intellect as well as to the will in the formal sense and that one power is as free as the other)¹³ Gonsalvus proposes to establish: 1) that the will is the freest power and thus that no other power is as free as the will itself; 2) that the will alone is free.¹⁴ SCS cites the following texts for the sake of comparison.

¹¹ SCS, *op. cit.*, 111—12. For Gonsalvus cf. the Amoros edition (cited in note 10), 230. "Tertio, istam opinionem volo declarare: primo indirecte praedictas improbando, et secundo directe rationes pro ea adducendo."

¹² SCS, *op. cit.*, 112. For Gonsalvus' references to Godfrey, cf. p. 227 (where he refers to a view that is defended by only one doctor, according to which the intellect is free in its essence); pp. 228—9 (arguments for that view); pp. 230 ff., (where Gonsalvus succinctly summarizes Godfrey's view in the indirect part of his own proof, that is, in order to refute it: "In prima opinione quatuor dicuntur: Primum est quod immaterialitas est causa sufficiens libertatis. — Secundum est quod intellectus et voluntas, cum hoc quod sunt indeterminati, sunt determinativi sui ipsius. — Tertium est quod libertas sit non solum in voluntate, sed in essentia [animae] et in intellectu et in actu, et ita quod sunt plures libertates in anima. — Quartum est quod una potentia non est magis libera quam alia." For Godfrey cf. Q 8, q. 16, *Les Philosophes Belges* 4 (PB 4), 145 ff., 149—50, 155 ff. It seems clear enough that Gonsalvus has Godfrey in mind here. Cf. also Martel, *op. cit.*, 147 ff.

¹³ For Godfrey cf. Q 8, q. 16 (PB 4, 149—50, 155—6), that freedom is to be granted to the intellect as well as to the will in the formal sense; and that one power is as free as the other (156).

¹⁴ "Ad confirmationem autem huius viae directe arguitur: Primo, ostendo quod voluntas est maxime libera, et quod nulla potentia sit ita libera sicut ipsa voluntas. — Et secundo, quod ipsa sola sit libera." *op. cit.*, 240.

Godfrey, Q 8, q. 16

Per praedicta patet quod non debet dici quod sola voluntas sit libera, sicut aliqui nituntur sic ostendere: illud dicitur in nobis esse liberum quod est in potestate nostra; sed prout dicit Augustinus, *De libero arbitrio*, nihil tam in nostra potestate quam ipsa voluntas est, ergo et cetera.

Item arguitur adhuc quod intellectus non sit liber, quia actus intellectus non sic est in potestate nostra sicut actus voluntatis, quia non est in potestate nostra quid nobis per intellectum appareat; quia, sicut dicit Augustinus, tertio *De Libero Arbitrio*, voluntatem non allicit ad volendum nisi aliquod visum. Quid autem quisque sumat aut respuat in potestate est per voluntatem, scilicet ut dicunt, sed quo viso tangatur, id est quid ei appareat per intellectum nulla potestas est; ergo et cetera.¹⁵

SCS stresses the close similarity between the passages. Less advised criticism, he continues, following the criterion used by Glorieux, would have concluded that Godfrey's Q 8 is posterior to Gonsalvus' Disputed Question 12. This, of course, is known to be incorrect. SCS insists on the point that Gonsalvus' method consists in taking as his own, in the direct moment of proving his thesis, arguments which had been formulated for that position by an adversary and refuted by that adversary. This is plagiarism, to be sure, but a plagiarism that prescinds from the

Gonsalvus, Disp. Question 12

Primo, ostendo quod voluntas est maxime libera, et quod nulla potentia sit ita libera sicut ipsa voluntas...

1. Primum probatur sic: illa potentia est liberior cuius actus est magis liber, quia ex actu cognoscitur potentia; sed actus voluntatis est liberior quam aliquis alius actus alterius potentiae; igitur voluntas est potentia maxime libera. Minor probatur per hoc, quod illud est liberum quod est in potestate nostra, sicut actus volendi, ut dicit Augustinus, III *De libero arbitrio*; sed nihil tam est in potestate nostra sicut actus volendi, ut dicit Augustinus, I *De libero arbitrio* et III ...

2. Praeterea, quod sola voluntas sit potentia libera patet sic, vel probatur dupliciter: quia si aliqua potentia esset libera, illa esset potentia intellectiva; sed illa non est libera, quia omnis potentia libera habet actum in potestate sua; sed actus intellectus qui sibi competit ante voluntatem non est in potestate nostra, dicente Augustino, III lib. *De libero arbitrio*: 'Non est in potestate nostra quibus visis tangamur'; et hoc alii de alia opinione dicunt quod non est in potestate nostra quid venerit in mente nostra.¹⁶

¹⁵ Cf. SCS, *op. cit.*, 112, citing Godfrey, Q 8, q. 16 (PB 4, 159—60) and citing Gonsalvus, Disputed Question 12, 240—241.

refutation of these same arguments that his adversary has directed against them. In the pages of Gonsalvus, then, one finds a curious situation where the refuted (for instance, the arguments as they appear in Godfrey) has become the refuter (the arguments as they are now used positively by Gonsalvus for his own position). As SCS warns, in order to discover this literary device, one must take into account, at the same time both moments of Gonsalvus' dialectical procedure and remember that in the first of these moments he has already refuted the positive arguments offered by his adversary for that adversary's opinion.¹⁶

Before considering in detail SCS's application of this same literary technique to Gonsalvus' Disputed Questions 11 and 13 in his effort to refute Glorieux's dating of Godfrey's Q 15, some qualifications are in order. First of all, with respect to the passages cited above, it is clear from reading Godfrey's text that he is presenting a counterposition only to refute it. But it is also clear that Gonsalvus is referring to another thinker (Godfrey in all likelihood) in other parts of this Disputed Question, for instance, in observing that there is only one whom he knows defending this view that the intellect is free, in listing arguments for that view, and in summarizing it in the indirect moment of establishing his own position.¹⁷ Hence, if one does concede *direct* textual interdependence in the passages cited above, it would be quite clear in the light of the earlier development of Gonsalvus' question that he could also depend on Godfrey for one or more positive arguments for his own view. In short, then, if one followed Glorieux's criterion and argued from an admitted textual interdependence, he would not conclude that Godfrey was dependent on Gonsalvus here, unless he considered these passages completely out of context. Within the overall context of the two questions there would be no danger of arriving at such a conclusion. Again, if one admits direct textual interdependence here and hence if one also admits that Gonsalvus borrowed two positive arguments for his own position from Godfrey where they appear only to be refuted, one is not automatically justified in assuming that Gonsalvus will always be dependent on his adversaries for positive arguments for his own positions. Finally, one wonders if direct textual interdependence is so absolutely certain with respect to these passages. The first argument is more fully developed and more adequately worked out by Gonsalvus than by Godfrey. The likelihood of direct interdependence seems greater

¹⁶ SCS, *op. cit.*, 112—113.

¹⁷ Gonsalvus, *op. cit.*, 227 and 230.

with respect to the second argument, and they are of roughly the same length this time. But it is clear from Godfrey's text that he has found them advanced by someone in defense of the opposed thesis. Knowing that this cannot be Gonsalvus because of earlier indications pointing to Gonsalvus' dependence on Godfrey, one might conclude with SCS that Gonsalvus also depends on Godfrey here. Or one might conclude that Gonsalvus and Godfrey are both dependent on some third source for these arguments. It is already clear that Godfrey is. This possibility also reinforces our reservations about assuming too quickly that Gonsalvus will also be dependent elsewhere on his adversaries for positive arguments for his own positions.

I—A: Gonsalvus' Disputed Question 11 and Godfrey's Q 15, q. 10

As Glorieux had noted in his 1939 article, Godfrey lists six arguments in support of a view opposed to his own in Q 15, q. 10, where he discusses this question: *Utrum anima possit perficere duas materias*. Having found these arguments in Gonsalvus' Disputed Question 11, he had concluded that Godfrey was here dependent on Gonsalvus.¹⁸ Guided by his analysis of Gonsalvus' Disputed Question 12, however, SCS first seeks for clues in the indirect part of Gonsalvus' development of his own view, that matter is to be found in every creature and that this matter is of one and the same type. Gonsalvus defends this last point as *probabilior*, against those who posit different types of matter.¹⁹

San Cristóbal-Sebastián's Interpretation as Based on Gonsalvus' Indirect Argumentation in Disp. Qu. 11

Gonsalvus begins the indirect part of his proof by presenting and criticizing the arguments of those who deny there is matter in spirits:

Item, secundo principale exequendo, amovenda sunt illa fundamenta propter quae aliqui contrarium tenent, quod in rebus spiritualibus non sit materia . . .²⁰

According to SCS, of the four arguments presented here, the first, second and fourth correspond respectively to the third, second and first offered by Godfrey in Q 15, q. 10 for his own view. Moreover, SCS finds Gonsalvus criticizing Godfrey's second argument in other passages. He concludes that in the light of Gonsalvus' familiarity with the positive arguments offered by Godfrey for his own position, it is not surprising

¹⁸ Glorieux, "Notations brèves . . .," 171.

¹⁹ Gonsalvus, *op. cit.*, 204.

²⁰ *Ibid.*

to find the six arguments referred to by Glorieux in Gonsalvus' text somewhat farther on. However, according to SCS's interpretation, Gonsalvus would have copied these from Godfrey rather than vice versa, first because of his dependence on Godfrey in the indirect moment of his proof, and secondly, because of his literary method as established by SCS for Disputed Question 12 (borrowing positive arguments for his position from his adversary's exposition of opposed arguments).²¹ Hence the key for SCS's position with respect to Gonsalvus' Disputed Question 11 and Godfrey's Q. 15, q. 10 is his claim that Gonsalvus knew and used only to refute three of the arguments developed by Godfrey for his own theory. Consequently, textual examination of these arguments as they are found in Gonsalvus together with their suggested parallels in Godfrey is necessary if one is to test SCS's interpretation. We will do this, first by considering the general context of the discussion itself and then by examining the passages themselves in some detail.

In terms of context, Gonsalvus begins his resolution of this question by noting that three things must be done: 1) the different opinions must be listed and the more probable indicated; 2) the foundations for the contrary opinions must be removed; 3) direct arguments must be presented for the view he himself has espoused.²²

As regards the first point, Gonsalvus notes that there are three major schools of thought on this question. The first holds that matter is found only in generable and corruptible things. According to the second, matter is also found in incorruptible bodies, although not in spirits. He observes that some defenders of this view say that the matter found in corruptible bodies differs from that found in those that are incorruptible, while others hold that matter is of the same type in all bodies. A third school of thought would extend matter to all created beings, both corporeal and incorporeal. But the defenders of this view are also divided in that some would distinguish different kinds of matter for these three different levels of being because of their inability to be changed into one another (apparently referring to corruptible corporeals, incorruptible corporeals such as the heavenly bodies, and spirits). Others insist that all matter is of the same kind. It is this final version of the third view that Gonsalvus regards as more probable.²³

²¹ SCS, *op. cit.*, 113. Also cf. note 24 for other references where, according to SCS, Gonsalvus criticises Godfrey's second argument.

²² *op. cit.*, 200.

²³ *op. cit.*, 200—204.

Gonsalvus then turns to his second task, undercutting the arguments offered by those who defend the opposite view: that there is no matter in spiritual things. He presents and refutes four arguments against the presence of matter in spirits. As we have noted, according to SCS the first, second, and fourth correspond respectively to arguments three, two, and one, offered by Godfrey in Q 15, q. 10. In terms of context, Godfrey is here attempting to show that it is impossible for matter to be part of the soul. He offers one brief argument:

Illud quod secundum se totum est forma et actus non potest habere materiam partem sui; sed anima est huiusmodi; ergo etc.²⁴

In support of the minor, that the soul according to its totality is form and act, he offers the three arguments which, according to SCS, correspond to those found in Gonsalvus.

The Evidence for San Cristóbal-Sebastián's Interpretation, Step 1

Gonsalvus, arg. 1 (p. 204)

A. Primum est ratio corruptibilitatis, propter quod aliqui negant universaliter materiam esse in incorruptilibus. Alii vero propter idem dicunt quod est alterius rationis in corporibus corruptilibus et incorruptilibus.

Godfrey, art 3 (pp. 52—3)

Tertia ratio talis est: quia si anima est composita ex tali materia et ex tali forma, anima est per materiam suam corruptibilis; hoc est falsum; ergo etc. Falsitas minoris patet. Probatio maioris, quia cuius forma est separabilis a sua materia illud est corruptibile; sed forma animae naturaliter esset separabilis a sua materia; ergo etc. Probatio minoris; quia secundum eos omnes materiae sunt eiusdem rationis; ergo qua ratione corporalis nata est separari a forma animae, eadem ratione, et alia materia.

Gonsalvus is referring to a general argument based on corruptibility which is used by some to conclude that there can be no matter in anything incorruptible, and by others to conclude that matter as found in corruptible bodies differs from that found in incorruptible ones. The first position was, in fact, defended by Godfrey, and the second by Thomas Aquinas.²⁵ Thus in Q 3, q. 3, Godfrey argues against matter-form

²⁴ PB 14, 50.

²⁵ For a detailed exposition of Thomas' views on this point cf. T. Litt, *Les corps célestes dans l'univers de saint Thomas d'Aquin* (Louvain/Paris, 1963), 58—86. Litt assembles in chronological order 37 texts ranging over

composition in angels on the basis of their incorruptibility. In Q 5, q. 2, he again appeals to the principle that matter-form composition implies capacity for substantial change. He rejects the possibility of distinguishing the matter of corruptible bodies from that of those that are incorruptible by reason of their relationship to different kinds of forms. As regards heavenly bodies, he rejects the presence there of matter of the same type as that found in corruptible bodies. He is thus well on his way to a conclusion defended in Q 9, q. 7. There again he criticizes the view that would diversify matter by reason of its relationship to different kinds of forms. And then he suggests as a more probable solution that there is no matter in the proper sense in the heavens, since there is no *potentia ad non esse* there, something which the presence of matter implies.²⁶

the greater part of Thomas' career as a writer, each of which he finds supporting the view that the matter of the heavenly bodies is different from that of earthly bodies. Cf. pp. 86—88 for his consideration of a troubling passage from Thomas' Commentary on the *De Trinitate* of Boethius (Q. V, art. 4, ad 4, pp. 197—98 in B. Decker's critical edition: *Sancti Thomae de Aquino Expositio Super Librum Boethii De Trinitate* Leiden, 1959). Litt finds himself unable to reconcile this passage with Thomas' view as established in the other texts and even as expressed in an earlier passage of this same work (Q. IV, art. 2, pp. 141—42).

²⁶ In Q. 3, q. 3 (PB 2, 179—86) Godfrey examines the question: *Utrum natura angelica sit composita ex vera materia et vera forma*. Granted that one must admit the presence of a potency *secundum quid* or substantial subject in relationship to its accidents, potency *simpliciter* or prime matter is not to be found in the angels. In Q. 5, q. 2 (PB 2, 7—12) Godfrey asks: *Utrum Deus possit ex materia corruptibilis producere aliquod corpus incorruptibile*. In the course of this discussion he observes: "Immo etiam generaliter loquendo, impossibile est aliquid incorruptibile per naturam habere quamcumque veram materiam partem sui, appellando veram materiam id quod excludit omnem actualitatem et de se non importat nisi puram potentiam in genere substantiae, quia cum talis res ratione suae talis potentiae de se sit indifferens ad esse et non esse simpliciter, et sic est id quo aliquid habet potentiam qua potest esse et non esse simpliciter, omne illud in quo est talis natura est naturaliter corruptibile, habens naturam per quam potest non esse" (pp. 8—9). Nor will it do to limit this view to things composed of prime matter in the ordinary sense, that is, to say that they will therefore be corruptible but that the matter of incorruptible bodies differs from that of corruptibles by reason of its relationship to a different and more perfect type of form with which it would unite in incorruptible fashion (pp. 9—10). Having eliminated this possibility and still insisting that matter-form composition implies corruptibility, he then rejects the possibility in the heavenly bodies of matter of the same type as that found in corruptibles. In fact, maintains Godfrey, it is contradictory to posit such matter in the heavenly bodies and to defend their natural incorruptibility at the same time (cf. pp. 10—12). Note the following statement in Q. 9, q. 7 (PB. 4, 233): "Sed illud quod assumitur in argumento de pluralitate materierum, puto esse solvendum probabilius per interemptionem assumpti dicendo quod in caelestibus non est materia proprie loquendo de materia quae non est nisi potentia ad esse, quia potentia est oppositorum et illud quod habet aliquid quod est potentia ad esse de necessitate etiam per hoc potest non

Consequently, if Gonsalvus is referring to Godfrey in the passage cited above, this does not necessarily imply that he depended on Godfrey's Q 15 for his knowledge of the latter's view. As we have just indicated, in Quodlibets that are certainly prior to Gonsalvus' Disputed Question 11,²⁷ Godfrey had already developed the argument against the presence of prime matter in incorruptibles on the basis of their incorruptibility, and had rejected the possibility of different kinds of prime matter. Moreover, in those earlier passages he had considered matter-form composition in the angels (pure spirits), and in the heavenly bodies (incorruptible bodies according to the outlook of that time), while his discussion in Q 15 is limited to an analysis of the human soul. Gonsalvus' immediate discussion is by no means so limited.

To return to Godfrey's text in Q 15, then, we find him holding that if the soul were composed of matter and form, it would be corruptible. That whose form is separable from its matter is corruptible, and this would be the nature of such a soul. Then in the same passage he refers to his opponents according to whom all matter is of the same type (*quia secundum eos omnes materiae sunt eiusdem rationis*). As has been noted, Gonsalvus himself espouses this view as more probable.²⁸ Hence, on the basis of evidence considered so far, if there is direct interdependence between the texts in question, it would seem that Godfrey's Q 15 refers to Gonsalvus' Disputed Question 11 rather than vice versa, as SCS would have it.

Confirmation of this is provided by Godfrey's remarks in the immediately following paragraphs. There he refers to those who have criticized the argument based on the corruptible character of matter-form composites. 1) If it is argued that such does not follow since there would be no natural agent capable of separating matter from form in the case of incorruptible composites (since matter would not have contrariety attached to it), Godfrey rejects such a contention as meaningless. First

esse; unde cum corpora caelestia non sint in potentia ad non esse, non est in eis materia. Et hoc est intentio Commentatoris in pluribus locis. Dicit enim, primo Physicorum quod in natura materiae est privatio formae, propter quod caelestia corpora non habent materiam omnino, quoniam essent generabilia et corruptibilia per mixtionem privationis cum natura eorum." For Averroes cf. *In Physic.* I (Venice, 1562; T. 4, fol. 45R).

²⁷ According to Glorieux Quodlibets 3, 5, and 9 date respectively from Christmas 1286, 1288, and 1292 (*La littérature quodlibétique . . .*, I, 151—66). According to SCS they date from Easter 1287, Easter 1288, and apparently 1292 (*op. cit.*, 273—4). According to either set of dates the Quodlibets in question would antedate Gonsalvus' Disputed Questions by a number of years.

²⁸ *Op. cit.*, 204.

of all, if one grants that after the cessation of the motion of the heavens there would be no agent capable of corrupting the bodies of men, this would still not justify one in describing those bodies as incorruptible by nature. Moreover, it is false to say that quantity and contrariety do not follow upon such matter. Such characteristics are not repugnant to it, even according to those who hold that all matter is of the same kind, whether in terms of matter as such, or as purified, or in terms of the form to which it is joined. 2) He then refers to their argument that if God had made all things incorruptible from the beginning, they would be incorruptible by nature. He also adverts to their citation of various authorities to prove that those things that happen according to the common course of nature are natural. Godfrey's comment is that it is ridiculous to say that if heavy bodies commonly went up, to go up or be in an upward position would be natural to them. Such would still be contrary to the nature of the heavy as such. 3) The authorities (*auctoritates sanctorum*) whom they cite can be understood to refer to that which occurs according to the order of events as it appears to us. As regards their usage of Augustine's statement that if miracles happened regularly they would not be prodigies, Godfrey replies: Not to be a prodigy and not to be supernatural are not one and the same. Granted that men would not marvel as they now do if such things should happen regularly, they would still be supernatural.²⁹

Interestingly enough, one finds similar counter-arguments employed by Gonsalvus in his refutation of those who hold that there can be no matter in incorruptibles because the presence of matter implies corruptibility. His first general counter-argument can be reconstructed as follows:

That which from its very beginning is incorruptible according to its entire species (i. e., in terms of every individual member of its species) has a form which is naturally incorruptible and hence it is incorruptible by nature. But it is not repugnant for a material thing according to its entire species (i. e., in terms of every individual member of its species) to be incorruptible from its beginning.

Therefore: It is not impossible for a material thing to be naturally incorruptible.³⁰ In support of the major he first argues inductively by citing as examples those things which have been incorruptible according

²⁹ Q. 15, q. 10 (PB 14, 53).

³⁰ As has been noted by the editor of Gonsalvus' text (*op. cit.*, 205, note a) and also by Martel (*op. cit.*, 70, note 52), one must reconstruct this argument because of a mutilated text. For our reconstructed major cf. Gonsalvus, *op. cit.*, p. 206, top, and for the minor, p. 207, end of the first paragraph.

to their entire species from their beginning, namely, souls, angels, and heavenly bodies. His point here, then, is that these things are naturally incorruptible. Then he cites a series of authorities, Boethius, Aristotle, and Augustine, to this effect: that which happens always or frequently happens naturally. Next he offers an argument from reason. That which is receptive of a given form through the natural order whether always or frequently is said to possess that form naturally, even if it is impressed by a supernatural agent, as in the union of an organic body and intellectual soul. Finally, he refers to the case of miracles. If they always happened, then they would be said to happen naturally. Thus, in an apparent reference to Baalam's ass, he observes that if asses had always spoken, this would then be regarded as natural for them.³¹

For possible similarities with Godfrey's argumentation as presented above, note the following. The major of Gonsalvus' argument reminds one of Godfrey (step 2), where he refers to his opponents' contention that if God had made all things incorruptible from the beginning, they would be incorruptible by nature. There, too, Godfrey notes that they cite various authorities to prove that those things that happen according to the common course of nature are natural, reminding one of Gonsalvus' appeal to the authority of Boethius, Aristotle, and Augustine, to this same effect.³² Finally, Godfrey refers to their usage of a text from Augustine: if those things which happen miraculously took place frequently, then they would not be prodigies. Gonsalvus explicitly refers to Augustine, *Contra Faustum*, c. xxvi: *quod illud fit naturaliter quod fit secundum solitum cursum naturae*.³³

To return to Gonsalvus' argument, he argues as follows in support of the minor (that it is not repugnant for a material thing according to its

³¹ Gonsalvus, *op. cit.*, 205—6. For the argument from authorities, cf. the following: "Hoc etiam patet per distinctionem Boethii eius quod est naturale, quam dat in libro *Divisionum*, ubi dicit quod naturale est quod est idem apud omnes; et per consequens quod secundum omnia suae speciei a principio est incorruptibile, illud est incorruptibile secundum naturam. Hoc etiam patet per Philosophum, II *Physicorum*, ubi vult quod illud fit a natura quod fit semper vel frequenter; quae autem praeter hoc, sunt a casu vel fortuna. Hoc etiam vult Augustinus, XXVI *Contra Faustum*, quod illud fit naturaliter quod fit secundum solitum cursum naturae." For Boethius cf. PL 64, 879; for Aristotle, *Physics* II, c. 5; for Augustine, PL 42, 481.

³² Q. 15, q. 10 (PB 14, 53). Cf. note 31 above for Gonsalvus' reference to authorities. Godfrey refers to their appeal *per multas auctoritates sanctorum*. This could at least be seen as a reference to the citations from Augustine and Boethius in Gonsalvus' text.

³³ Godfrey's editor (p. 57) refers the reader to Augustine, *Enarrationes in psalmos*, in ps. 110 (PL 37, 1465) and *In Johannem* tract. 24, no. 1 (PL 35, 1593), whereas Gonsalvus has cited his *Contra Faustum*. It is just as likely that Godfrey was referring to Gonsalvus' citation of the *Contra Faustum*.

entire species to be incorruptible from its beginning). Just as man is produced by man, so God could have produced men from the beginning without the aid of other men. And just as he can later glorify all, so too from the beginning he could have given to each a glorified and incorruptible body. Hence, something material according to its entire species could have been incorruptible from its beginning. Again, he argues from the situation of other material things. After the day of judgment, once the motion of the heavens will have ceased, the elements will no longer act on or corrupt one another. Thus the state of incorruption will then be natural to them.³⁴

Again one is reminded of Godfrey's reference to his adversaries' view that after the cessation of the motion of the heavens there will be no agent capable of corrupting men's bodies. For Godfrey, of course, this would still not justify one in describing such bodies as incorruptible by nature.

In sum, then, far from showing that Gonsalvus is dependent on Godfrey's Q 15, q. 10 at this point in his own Disputed Question 11, the texts under consideration when taken in context seem to point to the opposite. If there is direct textual interdependence, then it must surely run the other way. Godfrey is once again restating a classical argument against the matter-form composition of incorruptibles, based on the view that matter-form composition implies corruptibility. He has used this argument frequently enough in other Quodlibets, but here in Q 15, q. 10, specifically applies it to the case of the human soul. He is familiar with criticisms of this general argumentation along the lines indicated above. Since elements of the three lines of criticism to which he refers (as

³⁴ Gonsalvus, *op. cit.*, 206—7. Note that he supports this final point (that to be incorruptible will be natural to material things after the day of judgment) by citing Paul, Romans 8, 20 and 22, and the Gloss on the same (cf. PL 191, 1445): "... quod patet per Apostolum, *ad Rom.*, VIII: *Vanitati subiecta est creatura non volens, [sed] propter eum qui subiecit eam in spe; et sequitur: Scimus quod omnis creatura ingemiscit et parturit [usque] adhuc. Et patet ibidem, secundum Glossam, quod intelligit quod creatura appetit naturaliter quiescere et statum quem habebit post cessationem motus caelestis.*" Then Gonsalvus observes that if Aristotle had seen that from the beginning the elements had the state which they will then have, he would have said that it was natural for them to be incorruptible (cf. 207). This is only one of a series of efforts on Gonsalvus' part to show that his non-Aristotelian view is within the spirit of Aristotle. Cf. Martel (*op. cit.*, 71 and note 58) for other instances of the same. From pp. 207—211 Gonsalvus offers three other general arguments to show that the presence of matter is not repugnant to a thing's being incorruptible. As will be indicated below, there are some further parallels between Gonsalvus' argumentation here and arguments 5 and 6 as listed by Godfrey in his presentation of reasons offered by his adversaries to show that matter is included in the soul (cf. *op. cit.*, 54—55).

we have divided them) do appear in Gonsalvus' text, it seems likely that Godfrey may have had that text in mind, although not necessarily so to the exclusion of other defenses of universal hylemorphism as well. Although Gonsalvus may also have been referring to Godfrey as a defender of the corruptible character of matter-form composites, this does not in any way imply that he depended on Q 15 for his knowledge of Godfrey's views on the matter. The evidence for *direct textual* interdependence does not appear to us to be conclusive with respect to Gonsalvus, argument 1, and Godfrey, argument 3. But if there is such interdependence, and if further evidence for such should appear in other passages, our analysis at this point indicates that it will by Godfrey's Q 15 that depends on Gonsalvus, not vice versa.

The Evidence for San Cristobal-Sebastian's Interpretation, Step 2

To continue with SCS's examination of the indirect part of Gonsalvus' Disputed Question 11, he also argues that Gonsalvus' presentation of a second general argument for the counterposition (that there is no matter in spirits) is borrowed from Godfrey.³⁵ Having found ourselves forced to reject this conclusion as regards the relationship between Gonsalvus, argument 1, and Godfrey, argument 3, we will now consider Gonsalvus, argument 2, and Godfrey, argument 2.

Gonsalvus, arg. 2 (p. 211)

Secundum vero fundamentum eorum propter quod negant materiam in rebus spiritualibus est simplicitas earum per quam repugnat eis habere quantitatem, quae tamen, ut dicunt, necessario consequitur materiam.

Godfrey, arg. 2 (pp. 51—52)

Secunda ratio talis est: si ponatur formam animae informare simul duas materias ad invicem distinctas; aut illae duae materiae distinguuntur seipsis, circumscripto quocumque alio; aut distinguuntur situ et quantitate; aut distinguuntur per hoc quod una est quanta et alia non.

Gonsalvus presents this as a second argument offered by those who reject the presence of matter in spiritual entities. It is repugnant to the simplicity of such beings to have quantity. But quantity itself necessarily follows upon matter. This time the argument is understood by Gonsalvus to be directed against the presence of matter in spirits rather than against matter in all incorruptibles or against the same kind of matter in corruptibles and incorruptibles.³⁶

³⁵ SCS, *op. cit.*, 113.

³⁶ *Op. cit.*, 204.

In replying to this argument Gonsalvus reasons in two steps: 1) If something does not include the opposite of something else in its essence, then is it not repugnant to that other thing. But matter, according to its essence, does not include quantity (here regarded as the opposite of spirit, apparently). Therefore, concludes Gonsalvus, by reason of quantity matter is not repugnant to things without quantity, such as spirits. 2) When it is asserted that matter is not divided nor does it have parts except by means of quantity, it is to be replied that this is not true. By means of that whereby something is, it is also something distinct from others, and not by reason of some factor that would not belong to its essence. He does concede however that in the case of material entities there would be no division of matter into parts (*partibilitas*) unless quantity were present. But this is due to the requirements of a natural agent which does not act except for the sake of multiplication of forms. However, such forms are not multiplied unless they are received in distinct parts of matter, and this kind of division of matter into parts presupposes quantity.³⁷

Godfrey is again attempting to show that it is impossible for matter to be part of the soul. His text is offered in direct support of the minor of his general argument, that the soul according to its totality is form and act.³⁸ If it is held that the form of the soul can simultaneously inform two matters which are distinct from one another (the matter of the soul, and corporeal matter), Godfrey questions the grounds for distinguishing between them. Either they will be distinguished by

³⁷ *Op. cit.*, 211—212. Martel (*op. cit.*, 72, note 63) adverts to the difficulty in interpreting the final part of Gonsalvus' reply here. He notes that in one passage Gonsalvus affirms that *partibilitas est a quantitate* (212) but that in another he holds that *partibilitas non est per quantitatem* (224). In fact, even in the passage on p. 212 Gonsalvus begins by denying the truth of the view that matter is not divided nor does it have parts except by means of quantity. When he later concedes in the same paragraph that *partibilitas* arises only by reason of the presence of quantity, he appears to be restricting this statement to the division of matter into parts in corporeal entities. There the presence of quantity is required not because of the nature of matter as such, but because of the requirements of a natural agent. Such an agent operates for the sake of multiplication of forms, which cannot occur except by reason of the fact that different forms are received in different parts of matter. And this diversity of matter into parts occurs only by reason of quantity. On p. 224 he is discussing matter as found in the angels. Granted that there is some kind of division of matter into parts on that level (apparently meaning thereby that the matter of one angel is at least numerically different from that of another), he accounts for this not by appealing to quantity but to the efficient cause, presumably God, and to matter viewed *formaliter*, that is, as subject to its proper form. This is not surprising since, as we have seen, he also thinks it more probable that all matter is of the same kind.

³⁸ *Op. cit.*, 51 and our text above, p. 309.

reason of themselves, apart from anything else. Or they will be distinguished by reason of their situs and quantity. Or they will be distinguished in this that one is quantified and the other is not.

If one holds that the two matters are distinguished by themselves, then they must differ in essence. Thus among accidents quantity and the possible intellect differ in kind and as a consequence cannot be perfected by the same kind of act. But since these two matters would then be essentially distinct perfectibles in the genus of substance, they could not be perfected by the same kind of substantial act or form, in this case the human soul. If it is said that although they differ of themselves they do not differ in nature but only in number, Godfrey protests. This presupposes as true something false which is rejected by others as impossible, that pure potency of the same kind can be distinguished apart from some act. Moreover, if the form in question could inform two matters which were only numerically distinct, then it could inform countless others.

If, however, the two matters are said to be distinguished by reason of situs and quantity, then that matter which is said to be non-corporeal will in fact be corporeal, but different from the other corporeal matter in situs and quantity. In the present situation, then, the spiritual matter of the soul would really be corporeal matter as well, and yet would differ from the other corporeal matter in situs and quantity.

Finally, if the two matters are said to differ only in this respect, that one is quantified and the other is not, Godfrey again objects. The unquantified matter is such either of itself or by reason of the form to which it is joined. The first alternative is rejected because his opponents hold that all matter is of the same type. Nor will the second alternative do, since the form that is said to inform the incorporeal matter will also inform corporeal matter, and quantity follows as a *per se* property from that composite of which that form is the *per se* form. In other words, Godfrey is here arguing that if the quantity of corporeal matter follows from its form rather than from itself, then the matter of the human soul will also be quantified since it too will be informed by that same form. In this same context Godfrey also rejects the view according to which spiritual matter is to be distinguished from corporeal matter because it is nobler or in some way more purified. If such a greater degree of nobility changed matter into a different kind of perfectible, as some say of the matter of the heavens as opposed to the matter of the elements, then the two matters could not be perfected by the same form, the human soul. And if such a greater degree of nobility could change

matter to a nobler degree in terms of its density, then it would follow that matter itself is subject to greater and lesser density. This too is rejected by Godfrey as absurd, presumably because of his conviction that prime matter is pure potentiality. Moreover, he adds, even if one should concede such an absurd consequence, it would still follow that such matter was corporeal and quantified. No matter how much they may differ in terms of greater or lesser density, things that belong to the same species will have similar necessary properties.³⁹

Comparison of the two texts, however, offers little support for SCS in his contention that Gonsalvus has drawn this second argument for the opposition from Godfrey's Q 15, q. 10. There simply is no exact parallel in Godfrey's second positive argument for it as it appears in Gonsalvus. There, it will be recalled, the argument contended that there can be no matter in spirits because the presence of quantity, which follows upon matter, would be repugnant to their simplicity. Moreover, according to Gonsalvus, this argument is directed against the presence of matter in spirits. Godfrey, on the other hand, is attempting to show that there can be no matter in the soul, by proving that the soul according to its totality is form and act. In making this point Godfrey has considered three possible ways of distinguishing between two kinds of matter, spiritual and corporeal, and has eliminated them all. In short, then, the two texts present two different arguments.

In his criticism of the argument, as we have seen, Gonsalvus attempts to show that matter as matter need not include quantity, and hence that it can be found in spirits. In refuting the third attempt to account for diversity in kind of matter, Godfrey has referred to a view according to which the two matters would differ in that one is quantified and the other is not. Godfrey replied that such unquantified matter could not be such simply of itself, because his opponents hold that all matter is of the same kind. As we have also seen, this final point is defended by Gonsalvus as more probable. It is possible, then, that Godfrey is here referring to Gonsalvus, especially when one also recalls that Gonsalvus holds that matter as matter need not be quantified.

If, then, there is direct textual interdependence between the two passages, it seems much more likely that Godfrey is referring to Gonsalvus and refuting him, along with other defenders and other versions of matter-form composition in the soul. There seems to be no reason to think that Gonsalvus is here dependent on Godfrey's Q 15. But the

³⁹ *Op. cit.*, 51—52.

evidence for direct textual interdependence is not strong in these two passages.

Moreover, as Martel has already suggested, even though Gonsalvus has not named the defender of this argument against the presence of matter in spirits, he may well have been referring to Thomas Aquinas.⁴⁰ In the *Summa theologiae*, Ia, q. 50, a. 2, Thomas reasons as follows. It is impossible for the matter of spirits and corporeal things to be one and the same. To hold that a spiritual form and a corporeal form could determine one and the same part of matter would be to say that numerically the same thing is spiritual and corporeal. Hence, distinct parts of matter must receive the spiritual and corporeal forms. But, continues Thomas, matter cannot be divided into parts except insofar as it is subject to quantity. One would then be left with the unacceptable consequence, that the matter of spirits is subject to quantity. In any event, reference to Thomas' argument by Gonsalvus in the passage under consideration appears to be more likely than any reference to Godfrey's Q 15, q. 10.

⁴⁰ Martel, *op. cit.*, 72. SCS also maintains that Gonsalvus criticizes Godfrey's second argument in other places and cites the following passage: "Sed contra hoc arguitur: quia tunc eadem forma dabit actum duabus materiis primis et duobus perfectibilibus, quod est impossibile, cum cuilibet perfectibili respondeat propria perfectio" (SCS, *op. cit.*, 113 and note 24, citing Gonsalvus, *op. cit.*, p. 195). In Gonsalvus' text the objection continues: "Consequentia patet: quia secundum dicta, materia animae et materia corporis perficiuntur ab eadem forma, quae est forma intellectiva" (*ibid.*). Presumably SCS sees in this a reference to Godfrey's elimination of the first attempted defense of two matters that would be informed by the same kind of form, the human soul. There as we have seen (cf. p. 317 of our text) he reasons that if one holds that the two matters differ of themselves, it will then follow that they differ in kind. But as essentially distinct perfectibles in the genus of substance, they could not be perfected by the same kind of substantial act or form. "... ita etiam illae duae materiae ex quo sunt diversa perfectibilia diversarum rationum in genere substantiae impossibile est quod perficiantur actu substantiali seu forma substantiali eiusdem rationis, sicut quidam ponunt de materia coeli et materia elementi" (*op. cit.*, 52). Granted the similarity between the two arguments, once more the evidence for direct textual dependence is not conclusive. Moreover, since all evidence so far considered indicates that where there is interdependence it runs from Gonsalvus to Godfrey rather than vice versa, there seems to be no reason to agree with SCS that Gonsalvus is here following Godfrey. Finally, it is more likely that Gonsalvus is presenting an objection against his position that was well known to the anti-universal-hylemorphists, such as that raised by Thomas Aquinas in his *Quaestio disputata de spiritualibus creaturis*, a. 9, ad 9: "Ad nonum dicendum quod opinio ponens animam esse compositam ex materia et forma, est omnino falsa et improbabilis. Non enim posset esse corporis forma, si esset ex materia et forma composita. Si enim anima esset forma corporis secundum formam suam tantum, sequeretur quod una et eadem forma perficeret diversas materias diversorum generum, scilicet materiam spirituales animae et materiam corporalem; quod est impossibile, cum proprius actus sit propriae potentiae..."

The Evidence for San Cristóbal-Sebastián's Interpretation, Step 3

As further proof for his contention that Gonsalvus is dependent on Godfrey for arguments found in the indirect part of his Disputed Question 11, SCS states that Gonsalvus' fourth argument for the opposed view is taken from Godfrey's argument 1. Since Godfrey's argument is fairly long we will limit ourselves to summarizing it and will then cite both Gonsalvus' version and the small part of Godfrey's text that might be regarded as interdependent. In this first argument to show that the soul is totally form and act, Godfrey reasons as follows. If the soul is not merely form and act according to its totality but has as a part some matter which is different from corporeal matter, then either that matter is in some way united with corporeal matter or else it is not. If it admits of no unity with corporeal matter beyond the fact that both are informed by some third factor, the form of the soul, it will follow that man is composed of parts having no *per se* unity between them, and hence that man himself is an accidental aggregate rather than essentially one. If, on the other hand, the matter which remains in the separated soul enjoys some kind of unity with corporeal matter, this can be in one of three ways: 1) If they are said to be essentially one, then, in opposition to the proposed theory, the human soul will not inform two matters but only one. 2) If they are said to be united by way of information, whereby one matter would inform the other, this must also be rejected. Otherwise, pure potency, the matter of the soul, would in some way be actual insofar as it would inform corporeal matter. Moreover, in a possible reference to Gonsalvus, he notes that this alternative must be rejected for an added reason by those who hold that both matters are of the same kind. When two things are of the same kind, one cannot serve as form of the other. 3) Finally, it might be suggested that the two matters are united by being continuous with one another, just as the parts of a man are in continuity with one another. Godfrey rejects this suggestion because matter that is continuous with other matter must be corporeal and quantified and therefore will not differ from corporeal matter. Consequently, Godfrey concludes that it is impossible for there to be two matters in man, one corporeal and one incorporeal, which are in some way united with one another.

For the sake of comparison we will now cite Gonsalvus' fourth argument and the passage from Godfrey that might be regarded as parallel.

Gonsalvus, arg. 4 (p. 213)

Quantum vero fundamentum eorum ex informatione est animae, quia si habeat materiam et tota sit forma corporis, ergo materia animae informabit corpus.

Godfrey, arg. 1 (p. 51)

Si autem illa materia quae manet in anima separata et materia corporalis habeant aliquam unitatem inter se, aut hoc est secundum omnem indivisionem per essentiam . . . aut hoc est per informationem, quia una materia informat aliam, et hoc est impossibile; quia tunc pura potentia esset actus; nec etiam secundum illos qui hoc ponunt, scilicet quod utraque materia sit eiusdem rationis potest hoc esse, quia eorum quae sunt eiusdem rationis unum non potest esse forma alterius . . .

Gonsalvus' version of this argument is quite brief. If the soul possesses matter and the whole soul is the form of the body, then his adversaries maintain that the matter of the soul will inform the body. Simple comparison of the texts does not justify the conclusion that Gonsalvus has drawn this objection from Godfrey's Q 15. The heart of the argument as presented by Gonsalvus compares with only one small part of Godfrey's general argument to show that one cannot posit two matters in man, that is, his refutation of the second of the three ways in which one might attempt to defend the unity of the two matters. As we have noted, Godfrey also refers in that passage to those who hold that the matters in question are of the same kind, and may possibly have Gonsalvus in mind as one of these. It is unlikely that Gonsalvus is following Godfrey. First of all, he would have shifted the argument in terms of its general development and would have reduced it to one small part. Secondly, the evidence for direct textual interdependence is again insufficient to be conclusive. But if there is such interdependence, again it seems far more likely that Godfrey is referring to Gonsalvus rather than the converse. Finally, such an objection to the position defended by Gonsalvus had long been known, having been formulated by Thomas Aquinas in his *Summa theologiae, Quaestio disputata de creaturis spiritualibus*, and *Commentary on the Sentences*.⁴¹

⁴¹ Cf. ST, I, q. 75, art. 5c, his first argument to prove that the soul does not contain matter; *Quaestio disputata de spiritualibus creaturis*, art. 9, ad 9 (a continuation of the passage we have cited above in note 40); *II Sent.*, dist. 17, q. 1, a. 2.

As we have indicated above, the key for SCS's view that Godfrey's Q 15, q. 10 is prior to Gonsalvus' Disputed Question 11 is his claim that Gonsalvus used, only to refute, three arguments developed by Godfrey for his own position. Our analysis of these passages indicates that this claim is not well grounded and suggests moreover that if sufficient evidence can be offered for direct textual interdependence between the two questions, the opposite interpretation will be much more likely, that is, that Godfrey rather refers to Gonsalvus in Q 15, q. 10, as Glorieux maintained.

The evidence for Glorieux's Interpretation as found in Godfrey, Q 15, q. 10 and Gonsalvus, Disp. Qu. 11

We will now examine the evidence for Glorieux's view with respect to Q 15, q. 10. According to this interpretation, as we have already seen, Godfrey here depends on Gonsalvus' Disputed Question 11 for the six arguments he presents in opposition to his own view.⁴² Godfrey begins this section by stating clearly that these arguments are used by others to defend an opposed view: *Secundo ponendae sunt rationes aliorum ad oppositum*.⁴³ Gonsalvus, on the other hand, has now moved to the direct part of his argumentation in Disputed Question 11. Here he wishes to establish two points: 1) that there is matter not only in corporeal entities but also in spiritual ones; 2) that matter as found in spirits is of the same type as that found elsewhere.⁴⁴ Because he has already concluded that Gonsalvus was following Godfrey in the indirect part of his question, SCS easily assumes that the same is true of the present arguments.⁴⁵ But since we have not found evidence to support SCS in that conclusion, we cannot accept it as a presupposition for interpreting the interrelationship between these arguments as they appear in the two authors.

To return to Gonsalvus, then, he offers four arguments in favor of his first point, that there is matter in spiritual entities as well as in corporeal ones. These arguments manifest striking similarities with the first four presented by Godfrey in opposition to his own view, the view that there can be no matter in the human soul.

⁴² "Notations brèves . . .", 171—2.

⁴³ *Op. cit.*, 53

⁴⁴ "Nunc autem, tertio, ostendendum est directe propositum, ubi duo sunt probanda: Primum, quod non solum in corporalibus, verum [etiam in] spiritualibus sit materia. — Et secundo, probandum est quod illa sit eiusdem rationis ibi et in omnibus in quibus est materia" (*op. cit.*, 213).

⁴⁵ *Op. cit.*, 113.

Argument 1

Gonsalvus (p. 214)

A. Primum ostenditur: 1. Primo, sic: (1) principia debent proportionari principiatis illorum; igitur magis et verius sunt aliqua principia in quibus magis inveniuntur proprietates illorum principiorum; (2) sed proprietates materiae, tum quantum ad fieri tum quantum ad esse, verius inveniuntur in incorporeis omnibus quam in corporalibus; ergo magis et verius erit materia in incorporeis quam in corporalibus. — (ad 2) Assumpta patet: quia proprietas materiae, quantum ad suum esse, est quod sit ingenerabilis et incorruptibilis; proprietates vero eius quantum ad fieri est quod producit in esse per creationem a sola potentia creante. Haec autem singulariter conveniunt incorporeis; ergo materia, quantum ad proprietates sui esse et fieri magis proportionatur incorporeis quam corporalibus.

Godfrey (p. 53)

Prima ratio talis est: (1) in illo ponenda est magis materia cui magis est proportionata; (2) sed materia magis est proportionata substantiis incorruptibilibus, puta angelis, quam rebus corruptibilibus in quibus constat esse materiam; ergo etc. (ad 1) Maior patet; quia principia debent proportionari principiatis. (ad 2) Minor probatur; quia incorruptibile magis proportionatur incorruptibili quam corruptibile incorruptibili; sed materia est ingenerabilis et incorruptibilis; ergo magis proportionatur incorruptibilibus quam corruptibilibus.

(We have inserted some divisions into the texts in order to facilitate comparison. These are indicated by the parentheses.)

There is fairly strong evidence for interdependence as regards this argument. Thus in step (1) Gonsalvus appeals to the axiom that principles should be proportioned to those things that follow from them (*principiatis*). Godfrey's version cites this same axiom in support of his major. Cf. (ad 1) and (1). Gonsalvus concludes from this axiom that where the properties of certain principles are more properly found, there also the principles themselves are more properly found. Godfrey offers a more specific version of the same, applying it to matter: matter is to be posited in that to which it is more proportioned.

In step (2) Gonsalvus states that the properties of matter, both as regards *fieri* and as regards *esse*, are more truly found in incorporeals than in corporeals. He then concludes that matter is more properly found in incorporeals than in corporeals. Godfrey's version simply states in this step (2) that matter is more proportioned to incorruptible

substances, such as angels, than to corruptibles, in which, of course, it is clearly present. His implied conclusion, then, is that matter is more properly found in incorruptible substances.

Finally, as regards evidence for step (2) Gonsalvus argues that as to its *esse* it pertains to matter to be incapable of generation and corruption. And as to its *fieri*, it can only be produced by way of creation. But such properties belong to incorporeals in a special way. Godfrey's version reasons that there is greater proportion between incorruptible and incorruptible than between corruptible and incorruptible. But matter is not subject to generation and corruption. Therefore, and a fortiori, it is more proportioned to incorruptibles than to corruptibles. Cf. (ad 2). In this part of the argument, then, there is a difference. Godfrey does not explicitly distinguish between the properties of matter *quantum ad esse* and *quantum ad fieri*. If he is indeed following Gonsalvus here, he may have regarded this distinction as unnecessary. In stating that matter is not subject to generation and corruption he has already implied that it can only be produced by way of creation.

Given the general structure of the two arguments and the presence of verbatim similarities (cf. the axiom), there is fairly strong evidence for interdependence of some kind. Godfrey's version is briefer, however, and as regards the proof of step (2), less redundant.

Argument 2

Gonsalvus (pp. 214—215)

2. Secundo, sic: (1) quod facit ad perfectionem substantiae in quantum substantia est ens distinctum contra ens diminutum, quod dicitur ens quia entis, et tale ponendum est in entibus nobilioribus sive magis perfectis, ut sunt incorruptibilia omnia; (2) sed materia est huiusmodi, quod ipsa facit ad perfectionem substantiae ut substantia est ens perfectum distinctum contra accidens; ergo etc. — (ad 1) Maior est evidens secundum illud: 'sicut simpliciter ad simpliciter, et magis ad magis, et maxime ad maxime'; ergo illud quod facit ad perfectionem maxime debet esse in ente perfecto. — (ad 2) Minor

Godfrey (pp. 53—54)

Secunda ratio talis est: (1) illud quod facit ad complementum substantiae perfectae prout distinguitur contra accidens est magis attribuendum substantiis magis perfectis, et per consequens angelis et animabus separatis; (2) sed haec est materia; ergo etc. (ad 1) Maior patet. (ad 2) Minor probatur; quia ad perfectionem substantiae creatae pertinet quod praestet fulcimentum accidenti; sed hoc convenit substantiae per materiam; quia materia est prima ratio suscipiendi quodcumque et sustentandi; ergo etc. Quod autem prima ratio sustentandi et subsistendi sit materia, probro: quia, aut hoc

probatur: quia de ratione substantiae est quod praestet fundamentum aliis; sed prima ratio substandi attribuitur materiae in composito, non autem composito; vel si sic, tunc habetur propositum quod angelus substans accidentibus sit quoddam compositum; nec etiam primo attribuitur formae unde forma, quia non omnes formae substant; ergo prima ratio pertinet ad perfectionem substantiae ut substantia est distincta contra accidens.

convenit composito ratione qua compositum, et sic omne subsistens creatum erit compositum, et sic habetur propositum; aut hoc convenit composito ratione formae; et hoc non potest esse, quia tunc omni formae conveniret subsistere; relinquitur ergo quod hoc conveniat composito ratione materiae; ergo prima ratio sustentandi et sustinendi est materia.

The evidence for interdependence is quite strong in this argument. In step (1) Gonsalvus argues that that which contributes to the perfection of substance as such is to be distinguished from accidental being and is to be found in nobler and more perfect beings such as the incorruptibles. In proof of this he refers to the axiom, *sicut simpliciter* etc., concluding therefrom that what accounts for perfection should be in perfect beings to a maximum degree. For this cf. ad (1). In step (1) Godfrey's version stresses the point that that which contributes to completing substance insofar as it is distinguished from accidents is to be attributed all the more so to more perfect substances such as angels and separated souls. Here the major is regarded as self-evident.

In the minor, step (2), Gonsalvus notes that matter is of this type because it contributes to perfecting substance as substance and as distinguished from accident. Godfrey's version states the same, that matter is such. In offering support for the minor [*ad step* (2)], Gonsalvus notes that it belongs to substance to serve as a foundation for others (accidents). But the primary role of standing-under (*substandi*) is to be attributed to matter in composite beings. Otherwise, if this role were attributed to the composite, one would have conceded the point that the angel, insofar as it supports accidents, is a composite entity. Nor can this role be attributed to form as such, since not all forms stand-under or support accidents. Consequently, by process of elimination, only matter remains as that to which this role of supporting accidents can primarily belong. Godfrey's version offers a very similar argument in support of the minor (ad 2). To serve as a substratum for accidents pertains to the perfection of created substance. But this pertains to substance by means of matter, since matter is the primary ground for supporting and sustaining anything. To show that matter

is indeed the primary ground for supporting or sustaining accidents his version also considers the alternatives. Such will pertain to the composite insofar as it is a composite, or else by reason of its form, or else by reason of its matter. To concede the first would be to admit that every subsisting creature is composed, which would be to grant the thesis already. To concede the second would be to say that every form subsists. By process of elimination, then, Godfrey's version concludes with Gonsalvus' text that the primary reason for supporting and sustaining is matter.

Argument 3

Gonsalvus (pp. 215—216)

3. Tertio, sic: (1) quaecumque sunt plura eiusdem speciei habent materiam . . . (2) sed anima et angeli sunt plures eiusdem speciei; ergo habent materiam. — (ad 2) Minor patet (a) de animabus quae sunt plures eiusdem speciei, aliter homines non essent plures eiusdem speciei nisi haberent formas eiusdem speciei: ergo animae habent materiam. Sed ad hanc plurificationem et distinctionem animarum sub eadem specie non sufficit materia in qua sunt et quam perficiunt, ut corpus humanum, (a-i) quia corpora sunt propter animas, et anima est finis corporis . . . ergo plurificatio et distinctio animarum non est per corpora, sed magis e contra . . . (a-ii) Item, si distinctio et pluralitas animarum esset per corpora, ergo corruptis et annihilatis corporibus cessaret distinctio animarum, quod est impossibile; sequeretur etiam quod Deus non posset creare animas sine corporibus, quod falsum est.

(b) Alia etiam pars minoris quantum ad angelos, quod sint eiusdem speciei, probatur dupliciter: (b-i) primo, ex ratione speciei, quae apta nata est de pluribus numero differentibus praedicari; unde sicut nihil habet rationem generis nisi sit aptum

Godfrey (p. 54)

Tertia ratio talis est: (1) pluralitas numeralis in eadem specie est per materiam; (2) sed talis pluralitas est in angelis et in animabus; ergo etc. Maior supponitur. (ad 2) Minor probatur; (a) et primo patet hoc de animabus separatis quae sunt plures numero in eadem specie; nec potest dici quod numerentur per corpora;

(a-i) primo, quia magis est corpus propter animam quam e converso, et per consequens corpora magis habent distinguere per animas quam e converso;

(a-ii) secundo, quia animae quando essent separatae non distinguerentur, quod esset inconueniens.

(b) Idem patet de angelis, scilicet quod sint plures in eadem specie; (b-i) primo, quia de ratione speciei est quod praedicetur de pluribus differentibus numero in eo quod quid; sed in angelis est dare speciem, ergo etc.;

natum de pluribus differentibus specie praedicari, ita nihil est habens rationem speciei nisi sit aptum natum de pluribus differentibus numero praedicari. Unde sol aptus natus est de pluribus praedicari, et posset si agens, cuius potestati eius forma subiicitur, vellet ipsum producere. — (b-ii) Secundo, hoc idem probatur ex hoc, quod nisi angeli essent eiusdem speciei, sequeretur quod inter eos non esse amor naturalis, nec unius esset plus cura naturaliter de alio in gaudium naturale nec societas naturalis quam ipsi asino de bove . . .

(b-ii) secundo, quia maior societas et amicitia debet esse inter illos qui sunt eiusdem speciei quam inter illa quae sunt diversarum specierum; sed maior societas et amicitia debet esse inter angelos ad invicem quam inter homines ad invicem qui sunt eiusdem speciei; ergo etc.

Granted that Gonsalvus' version of this argument is considerably longer, yet the major steps correspond with those found in Godfrey's text, so much so that again the case for interdependence is quite strong. Thus Gonsalvus begins step (1) by noting that those things that are multiple within the same species include matter. He then refers to two texts from Aristotle in support of this.⁴⁶ Godfrey's version simply states as given that numerical multiplicity within a species implies matter. In step (2) Gonsalvus notes that both souls and angels are multiplied within their respective species, and then draws the conclusion that they must possess matter. Godfrey's version does the same.

Taking the major as now established the two versions turn to the minor (ad 2), first by considering the case of souls. Gonsalvus notes that they are multiplied within the same species, since otherwise men themselves would not be so multiplied unless the same were true of their forms. Godfrey's version simply states the fact that separated souls are so multiplied. In support of this both then note that it does not suffice to say that they are multiplied and distinguished by reason of the matter they perfect, i. e., the human body. This is so, first of all (a-i) because the body exists for the sake of the soul rather than the converse. Therefore, bodies will be multiplied and distinguished by their souls, rather than vice versa. Again Gonsalvus cites authority in support of this, Aristotle and Averroes this time. Moreover (a-ii), they

⁴⁶ We have omitted Gonsalvus' citation of authorities in this argument in the interests of space. For the citations and references to the same cf. *op. cit.*, pp. 215—16 and the editor's notes.

note that if such distinction of souls occurred by reason of bodies, then souls would cease to be distinguished once their respective bodies had been corrupted and annihilated (Gonsalvus), or once they were separated from their bodies (Godfrey). This alternative is, of course, rejected by both. Gonsalvus adds the thought that under such an hypothesis it would also follow that God could not create souls without bodies, which he also rejects.

The two versions then consider the case of the angels, to show that they too are multiplied within their species (b). Two arguments are presented. First (b—i), it is the nature of a species to be predicated of many things that differ numerically. Again Gonsalvus' version is more extended and includes a reference to the case of the sun. It too could be predicated of many if its agent had so wished to produce it, that is, to multiply it numerically. Secondly (b—ii), both versions argue for numerical plurality of angels within their species in order to retain for them the possibility of natural love or friendship and fellowship with one another. Each version assumes that this must be conceded to the angels, Gonsalvus by citing authority (Damascene), Godfrey's version by arguing that there should be greater friendship and fellowship between fellow angels than between fellow men, which latter do belong to the same species.

Although there are minor differences, as in the last point, and although Gonsalvus' argument is more drawn out, basically the same structure and logic are found in each version. The major difference is that Godfrey has omitted the citation of authorities. If he is indeed following Gonsalvus, he has skillfully reproduced the argument by reducing it to its essentials. Granted the complexity of the steps involved and the fact that they are reproduced in each version in the same order, the case for interdependence of some kind is strong indeed.

Argument 4

Gonsalvus (p. 217)

4. Quarto, ostenduntur supradicta sic: sicut esse et agere attestatur formae, ita potentia et passio attestatur materiae; sed in angelis et in anima potest esse vera passio, cum ab igne infernali patiantur. Igitur etc.

Godfrey (p. 54)

Quarta ratio est quia, sicut se habet esse ad formam, ita pati ad materiam; sed nullum esse est nisi per aliquam formam; ergo nullum pati est nisi per aliquam materiam; sed animae et angeli patiuntur vera passione quae est ab igne infernali; ergo etc.

The similarity between these two versions is again great enough to suggest that interdependence is likely. Common to each is the principle that just as *esse* bears witness to the form, so too the capacity to be acted on (*potentia et passio* in Gonsalvus; *pati* in Godfrey) points to matter. But angels and souls undergo a real *passio*, that which results from hell fire. This time Godfrey's version is slightly more extended in that he explicitly indicates why *esse* bears witness to the form, that is, because it comes by means of some form.

Arguments 5 and 6

At this point in each author's text there is an interesting break in the presentation of the arguments. As has been indicated above, Gonsalvus has presented these first four arguments in order to establish the point that there is matter in spiritual entities as well as in bodies. After considering some objections to the fourth, he now turns to the second major point of the direct part of his question, i. e., to show that the matter found in spirits is of the same type as that found in corporeal entities and hence that matter, wherever found, is of one and the same kind. He offers three more arguments for this, the final one based on citation of authorities.

Godfrey's presentation of arguments opposed to his own position has closely paralleled Gonsalvus' text as regards the first four. Now he interrupts the discussion by noting that granted the incorruptible character of certain matter-form composites (still according to the opposed view, of course) and the corruptible character of others, his adversaries also attempt to show that matter in each case can be of the same type. However, the two arguments presented by Godfrey to establish this point, that is, his fifth and sixth arguments for the opposition, really do not show that all matter is of the same kind, but rather that incorruptibles can also share in matter. In seeking for parallels in Gonsalvus for these last two arguments, Glorieux suggested that Godfrey had taken them from an earlier part of Gonsalvus' text rather than from the present context.⁴⁷ There Gonsalvus is continuing with the indirect part of his proof. In the immediate context he argues against the view that it is repugnant for incorruptibles to possess matter. We have already considered his first effort to refute this view. (Cf. our text above, pp. 312—313). His second argument as presented there is similar to argument six in Godfrey. But it is more difficult to find close parallels

⁴⁷ For Godfrey cf. *op. cit.*, 54—5; for Glorieux, *op. cit.*, 171.

there for Godfrey's argument five.⁴⁸ Rather than build our case on a questionable parallelism, therefore, we will immediately pass on to argument six in Godfrey, which corresponds to Gonsalvus' second argument against the opinion that it is repugnant for incorruptibles to possess matter.

Gonsalvus (pp. 207—8)

2. Secundo, hoc idem probatur sic: (1) per illa quae sunt minora et pauciora in rebus universi non potest habere certum iudicium de pluribus rebus universi; sed in universo entia materialia sunt pauciora et entia corporalia quam entia incorporea; (2) ergo per huiusmodi entia non potest haberi certum iudicium de omnibus aliis quoad naturas eorum, an scilicet sint composita ex materia an non. (ad 1) Confirmatur haec ratio per hoc quod eodem modo arguit Philosophus, IV *Metaphysicae*, contra Heraclitum, qui dixit omnia esse in continuo motu, quia vidit ista sensibilia corruptibilia esse in continuo motu, contra quem arguit quod, cum ista sensibilia corruptibilia sint parva et pauca respectu aliorum quae sunt intransmutabilia, magis esset dicendum quod omnia sunt intransmutabilia quam quod omnia sunt transmutabilia. Hoc idem etiam vult I *Metheorologicorum*, quod patet ibidem.

Godfrey (p. 54)

Secunda ratio talis est: (1) accipere iudicium de toto universo ex istis quae sunt hic, cum sint modicum respectu totius universi, est inconueniens; (ad 1) et hoc patet per Philosophum quarto *Metaphysicae*, loquentem contra Heraclitum qui tenebat omnia esse in continuo motu, quia ista inferiora videbat esse talia. (2) Sed illi qui credunt quod non possit esse materia in aliquo intransmutabili volunt iudicare ex istis inferioribus omnia; ergo etc.

In terms of context, as we have just indicated, Gonsalvus directs this argument against those who deny that incorruptible things can possess matter. And in itself as it reads in Godfrey's text, it also argues against those who say there can be no matter in changeless entities, this in spite of the fact that Godfrey has introduced it together with

⁴⁸ For Gonsalvus cf. *op. cit.*, 207 ff. There is also some parallel between Godfrey's argument five, especially when it is joined with his refutation of the same (*op. cit.*, 56), and Gonsalvus' first argument to show that all matter is of the same kind. This parallelism, however, is not sufficiently great to establish textual interdependence. For that argument in Gonsalvus cf. 219—220.

argument five in defence of the sameness in kind of the matter of corruptibles and incorruptibles. The two versions are quite similar. In stage (1) Gonsalvus notes that one cannot arrive at certain knowledge concerning the majority of things in the universe from those which are fewer in number and smaller. But corporeal entities are fewer in number than incorporeals. Godfrey makes the same point somewhat more briefly. Since things here on earth are few when compared with the whole universe, one should not generalize concerning the whole universe from those found here. In stage (2) both make the application. Granted that the presence of matter implies change here, one is not thereby justified in concluding that matter cannot be found in things not subject to change. In confirmation of the principle used in the argument, both versions appeal to the authority of Aristotle, *Metaphysics* IV, in his criticism of Heraclitus. Godfrey's reference is not so extended, however, and his version does not mention the *Meteorology*.⁴⁹

As regards these six arguments presented by Godfrey in opposition to his own view, we have found the case for interdependence with Gonsalvus' text to be strong for arguments one through four and for argument six. In the case of the more complex arguments in particular, it is most unlikely that chance could account for such great similarities in their logical organization and content. Cf. in particular arguments two and three. Moreover, since the first four arguments appear in the same sequence in Godfrey's text and in Gonsalvus, this too strengthens the case for direct interdependence, an interdependence which is admitted, as we have seen, both by SCS and by Glorieux.

Given this, then, it seems that one should indeed conclude with Glorieux that Godfrey was referring to Gonsalvus in this instance when he wrote *Quodlibet 15*, q. 10, and therefore that it is to be dated after 1302—3. First of all, examination of the evidence offered by SCS in his analysis of the indirect part of Gonsalvus' question led us to this view: if there is direct textual interdependence between the two texts, then it will follow not that Gonsalvus was dependent on Godfrey's Q 15, q. 10 as SCS would have it, but rather that Godfrey was referring to Gonsalvus' Disputed Question 11. Since the evidence for textual interdependence is much stronger in the texts just studied, so too is the evidence for the chronological priority of Gonsalvus' text and for Glorieux's dating. Secondly, Godfrey is clearly referring to someone else in presenting these arguments for the view opposed to his own.

⁴⁹ Cf. Aristotle, *Metaphysics* IV, c. 5 (1010a 1—9 and 25—32); *Meteorologica* I, c. 3 (339b 34—36).

Since five of them find parallels in Gonsalvus' text and since Gonsalvus does defend the theory to which Godfrey refers, it is reasonable to think that it is Gonsalvus that he has in mind. Finally, Gonsalvus presents these as his own arguments for his own position. To grant that such is the case surely pays greater tribute to his ability as a philosopher than to suggest that he really drew the positive arguments for his own view from Godfrey, his adversary on the matter at issue.

Perhaps another possibility should be mentioned, however. It might be suggested that there was a third and earlier source for all these arguments, one known both to Gonsalvus and Godfrey. Then one might account for the textual similarities by suggesting that Gonsalvus depended on this source for his defense of his own view, while Godfrey depended on it for his knowledge of the view opposed to his own. Each would have followed it so closely that we are now deceived in thinking that there is direct textual interdependency between them. It would be difficult to deny that this is a metaphysical or even a physical possibility. However, it has been defended neither by SCS nor by Glorieux, presumably because there is no evidence for such a common source. Moreover, there is no need to postulate such a source to account for the similarities between the two authors' texts. Again, it would be somewhat surprising to find two authors, writing independently, each of whom would follow this common source so closely that every step of so complex an argument as, for instance, the third one, would be reproduced by each. Consequently, since such a third source is neither known nor necessary, we think it most likely that Godfrey was here directly referring to Gonsalvus.

I—B: Gonsalvus' Disputed Question 13 and Godfrey's Q 15, q. 11

Glorieux and SCS also both draw upon Gonsalvus' Disputed Question 13 and Godfrey's Q 15, q. 11 to support their respective views as to the date of Q 15. In this eleventh question Godfrey asks whether the agent and possible intellects are essentially the same. In his reply he observes that certain ones (*quidam*) say that they are, and then cites four arguments offered by them in defense of that view. According to Glorieux the *quidam* refers to Gonsalvus, and the four reasons reproduced and refuted by Godfrey are found in Gonsalvus' Disputed Question 13, near the end, together with certain nuances to which Godfrey alludes while formulating the first one.⁵⁰

⁵⁰ Glorieux, "Notations brèves . . .", 171—2. For Godfrey cf. *op. cit.*, 57—8.

While granting the presence of these four arguments in the direct part of Gonsalvus' question, however, SCS again insists that one should first turn to the indirect part. There, after having considered in some detail various theories about the agent and possible intellects, Gonsalvus notes that among those who regard them as intrinsic powers of the soul, some hold that they are one and the same power. Gonsalvus states that this view is more probable so far as he is concerned. But before establishing it as the correct one (i. e., in the direct part of his question), he indicates that certain objections must be met which appear to stand in its way.⁵¹ According to SCS the first objection that Gonsalvus then cites is one raised by Godfrey in his refutation of the view that the agent and possible intellects are essentially one and the same. There Godfrey accuses his adversaries of falling into the same difficulties that they would raise against their opponents.⁵² Somewhat farther on Gonsalvus refers to those who say that one and the same thing cannot be both active and passive.⁵³ Here, according to SCS, Gonsalvus clearly alludes to Godfrey's second positive argument for his own view.⁵⁴

Having concluded that Gonsalvus is referring to Godfrey's Q 15, q. 11 in these two instances, SCS then assumes that he is also following him with respect to the four arguments cited by Glorieux. In short, SCS again suggests that in developing positive arguments for his own view, Gonsalvus would have drawn them from Godfrey's exposition of arguments opposed to his (Godfrey's) own view. Once more, then, direct textual interdependence is conceded both by Glorieux and SCS as regards the four arguments, but interpreted differently. According to Glorieux, Godfrey here depends on Gonsalvus, while according to SCS, Gonsalvus depends on Godfrey. First of all, then, we will consider the evidence offered by SCS.

The Evidence for San Cristóbal-Sebastián's Interpretation, Step 1

According to SCS, then, Gonsalvus here depends on Godfrey for the objection he raises against his own position.

⁵¹ *Op. cit.*, 265. Note that this discussion as to the relationship between the agent and possible intellect is developed by Gonsalvus in responding to the question: "Utrum potentia qua laudatur Deus mentaliter sit eadem potentia cum intellectu agente" (p. 245).

⁵² *Op. cit.*, 58.

⁵³ *Op. cit.*, 273.

⁵⁴ *Op. cit.*, 113—114.

Gonsalvus (p. 265)

1. Primo enim, videtur praedictae opinioni obviare, quia agens, saltem secundum rationem agentis, nobilius est patiente, et per consequens actio agentis, ut agentis, nobilior est operatione patientis; igitur intellectus agens secundum rationem agentis nobilior est possibili, et actio eius actione intellectus possibilis. Cum ergo actio intellectus possibilis sit intelligere, sequeretur quod si intellectus agens et possibilis sint una potentia, quod est aliqua actio nobilior actu intelligendi, et hoc in natura intellectuali, quod falsum est.

Godfrey (p. 59)

Secundum probo, scilicet quod ipsi incurrunt inconvenientia quae imponunt aliis; quia secundum eos intellectus agens in quantum agens differt a possibili et in quantum agens est nobilior possibili; sed ipsi non possunt salvare quod intellectus agens sit nobilior possibili; immo ex dictis eorum sequitur quod sit ignobilior intellectu possibili; quia, dato quod ponatur quod idem sit intellectus qui est agens et qui est possibilis, tamen in quantum agens non est receptivus actus intelligendi, nec etiam habet actu actum intelligendi se informantem, nec est etiam ipse actus intelligendi; ergo si ratio prima ipsorum est bona, sequitur quod intellectus ille in quantum est agens sit seipso ignobilior in quantum est possibilis.

As presented by Gonsalvus the objection is as follows. An agent (that which acts) viewed as agent is nobler than a patient (that which is acted upon). Moreover, the operation of an agent taken as agent is nobler than the operation of a patient. Therefore, the agent intellect insofar as it is viewed as agent is nobler than the possible intellect, and its action will be nobler than that of the possible intellect. But to understand is an act of the possible intellect. Therefore, if the agent and possible intellects are really one and the same power, some nobler action must be conceded to the intellect when it is viewed as agent, nobler therefore than the act of understanding, which is proper to it as the possible intellect.

Godfrey, as has been noted, is here attempting to show that defenders of the essential identity of agent and possible intellects fall into the same difficulties they raise against those who reject this theory. The presupposition behind his objection is the same as that in the one considered by Gonsalvus: according to this theory the agent intellect viewed as agent in some way differs from the possible intellect, and insofar as it is viewed as agent it is nobler than the possible intellect. But, objects Godfrey, defenders of this view cannot consistently maintain that the agent intellect is nobler than the possible intellect within the terms of

their own theory. On the contrary, from their premises it follows that the agent intellect is less noble (literally, more ignoble) than the possible intellect. With his shift in the argumentation we have a different line of reasoning from that found in the objection presented by Gonsalvus. Godfrey continues that if, in accord with their theory, one concedes that it is one and the same intellect that is both agent and possible intellect, nevertheless, insofar as it is viewed as agent intellect it will not receive the act of understanding, will not actually be informed by that act of understanding, and will not be identified with it. Therefore, concludes Godfrey, if their first argument for their own position is valid, it will follow that the intellect insofar as it is viewed as agent will be less noble than it is when viewed as possible intellect.

Godfrey's objection, therefore, differs from the one cited by Gonsalvus. According to Godfrey, if one defends real identity of agent and possible intellects, one ends by denying that the intellect as agent is nobler and must rather conclude that it is less noble than the intellect when it is viewed as possible. Gonsalvus' objection arrives at another although equally unacceptable conclusion, that since the agent intellect is the nobler power some nobler action must be granted to it, nobler even than the act of understanding. Because each version arrives at a conclusion unacceptable to defenders of the essential sameness of the two intellects, each has its force against that theory. But insofar as they do arrive at different unacceptable alternatives, they constitute two distinct objections. Consequently, there is little reason to conclude to direct textual interdependence here.

Moreover, Godfrey refers in this objection to "their" first argument. And as will be seen below, in treating of the agent intellect he has here used certain distinctions that are also found in the first argument he presents for the contrary position in his exposition of four arguments for that view. These same distinctions and nuances appear in the first positive argument offered by Gonsalvus in his direct proof of his own thesis. In each version that argument attempts to show that the theory that denies that the agent and possible intellects are one and the same power must also defend this unacceptable conclusion: that the possible intellect is nobler than the agent intellect.⁵⁵ Hence, it is clear that Godfrey's objection cited above refers to that first argument for the opposition, an argument which is not only found in Godfrey's exposition of opposed arguments, but in Gonsalvus. Rather than think that Gon-

⁵⁵ Godfrey, *op. cit.*, 57—8; Gonsalvus, *op. cit.*, 273—4.

salvus depended on Godfrey in the passages just cited, then, it appears to be far more likely that Godfrey's passage was written in the light of Gonsalvus' first positive argument for his own view in this Disputed Question.

The Evidence for San Cristóbal-Sebastián's Interpretation, Step 2

As further evidence for his claim that Gonsalvus is referring to Godfrey's Q 15, q. 11 in Disputed Question 13, SCS cites the following passage:

Quod autem, secundo, arguitur quod idem non est activum et passivum dicendum quod hoc falsum est respectu actionis intrinsecae, ut alias patebit.⁵⁶ These lines appear immediately before Gonsalvus' presentation of positive arguments for his own position. Once more he is concerned with an argument for the opposed position, an argument based on the impossibility of holding that something can be active and passive at the same time. Gonsalvus replies that this axiom does not apply to immanent action. SCS sees in this passage a reference to the second positive argument offered by Godfrey and refers to pp. 58—59 of Godfrey's text. Apart from the fact that he can only mean thereby Godfrey's first positive argument rather than his second one, it is not at all clear that Gonsalvus is referring to that particular text. It is true that Godfrey rejects the view that the same thing could be active and passive at the same time and in the same respect, and that this conviction enters into his first argument.⁵⁷ But Gonsalvus' reference is too general to indicate that he has this specific passage in mind or even that he is singling out Godfrey at this point.

Again, even if he is referring to Godfrey, this will not in any way of itself indicate that he has Q 15 in mind. That something cannot be in

⁵⁶ SCS, *op. cit.*, 113—114, citing Gonsalvus, *op. cit.*, 273.

⁵⁷ For the argument cf. Godfrey, *op. cit.*, 58—9. "Primum probó una ratione tali: quia, aut homo per intellectum agentem immediate movet se ad intelligendum et per intellectum possibilem movetur ad praesentiam phantasmatis nihil agentis in intellectum, ut quidam ponunt irrationabiliter; aut ita est quod intellectus agens movet phantasmata ut ab eis postea moveatur intellectus possibilis. Sed utroque istorum modorum est inconveniens ponere intellectum agentem esse eandem potentiam per essentiam cum intellectu possibili; ergo etc. Maior patet per locum a divisione. Minor probatur quantum ad utramque partem. Quantum ad primam; quia sequeretur quod idem et secundum idem esset movens et motum et immediate, quod est absurdum et improbatum supra. Quantum ad secundam; quia sequeretur quod intellectus ageret in phantasma et pateretur ab eodem secundum idem; idem autem et secundum idem agere in aliquid et pati ab eodem est inconveniens." For his proof that it is absurd for one and the same thing to move and be moved *immediate* cf. Q 15, q. 4, section I (PB 14, 21—3); for fuller treatments of this in other Quodlibets cf. below and note 58.

act and potency at the same time and in the same respect is a central axiom for Godfrey, and appealed to elsewhere in his analyses of human intellection and volition. Thus in Q 8, q. 2, in the course of showing that a subject cannot be the immediate and efficient cause of its accidents, Godfrey develops and appeals to this principle. He strongly differs with those who would admit of any exception to it, whether in discussing the motion of bodies or the immanent action of the intellect and will. No example can be found where something is both active and passive with respect to itself, he insists, and the intellect is no exception.

... non poterit inveniri aliquid idem quod respectu eiusdem sit activum et passivum. Nec est instantia de intellectu, cum in intellectu sit intellectus agens et patiens.⁵⁸

Moreover, judging from remarks in his immediately preceding paragraph, Gonsalvus could also have had Godfrey's Q 5, q. 10 in mind. In discussing the action of the agent intellect with respect to the phantasm, Gonsalvus follows very carefully the analysis made by Godfrey in that question. Neither author will grant any positive action on the phantasm to the agent intellect for this reason, that such a disposition would still be singular and individuated and therefore unable to act on the possible intellect. Each draws upon an analogy with milk, whose whiteness is in some way "abstracted" or "separated" due to the presence of light, *non secundum rationem essendi sed secundum rationem immutandi* (Godfrey), *non secundum rem, sed secundum immutandi rationem* (Gonsalvus). Each then applies this terminology to the agent intellect's action on the phantasm. Granted the great difference between the two masters as to the kind of distinction between the agent and possible intellects, it is

⁵⁸ Q 8 dates from 1291 according to Glorieux, *La littérature quodlibétique...*, 158. SCS dates it at Christmas, 1291 (*op. cit.*, 274). For Godfrey cf. PB 4, pp. 18—20 for a general discussion of the principle; pp. 20—23 for his rejection of any exceptions to it; p. 23 for his statement that no example can be found that would violate it and also for the passage quoted in our text above; pp. 23—33 for his steadfast refusal to accept any other explanation that would even slightly compromise this principle. Cf. also Q 1, q. 7 (PB 2, 18—21): "Utrum intellectus possibilis ad ipsum actum intelligendi sit aliquo modo activus, sive utrum ad ipsum se habeat aliquo modo in ratione causae efficientis et agentis...". For development of the same axiom and rigid application of it to the case of the will cf. also Q 6, q. 7. As Godfrey repeatedly emphasizes in this lengthy discussion, volition is no exception to this fundamental metaphysical principle (PB 3, 148—72 *passim*). For more on this in Godfrey cf. Neumann, *Der Mensch und die himmlische Seligkeit*... 100—102; and Martel, *op. cit.*, 121—4. Both writers discuss Godfrey's application of the axiom to intellection, and Martel compares him with Gonsalvus of Spain on the point.

clear enough that Gonsalvus was dependent on Godfrey here.⁵⁹ Since Godfrey had introduced this discussion in Q 5, q. 10 by noting that since nothing can reduce itself from potency to act an agent is required to account for the fact that we sometimes actually understand and sometimes do not, it is not unlikely that Gonsalvus also had this Godfridian formulation and application of the axiom in mind. In any event, the second passage cited by SCS from Gonsalvus' Disputed Question 13 to show that he was therein referring to Godfrey's Q 15 is no more convincing than was the first.

The Evidence for Glorieux's Interpretation as found in Godfrey, Q 15, q. 11 and in Gonsalvus, Disputed Question 13

With this we now turn to the arguments offered by Gonsalvus for his own view and their parallels in Godfrey where they appear as arguments for the opposition. As we have seen, both Glorieux and SCS point to textual interdependency here, although they interpret it differently. We will now examine the textual evidence for interdependence and will search for any indications as to which author was following the other, should the case for interdependency be strong.

⁵⁹ Cf. Godfrey, PB 3, 37 and Gonsalvus, *op. cit.*, 272. Compare the following passages: "Nunc autem, intellectus agens habet primo actionem circa phantasma, quae quidem actio non est positiva aliquid causando in phantasmate, quia illud esset singulare et materiale, et ita indispositum ad movendum intellectum possibilem; sed est actio magis privativa et separativa quidditatis a conditionibus materialibus et immaterialibus, non quidem quod sit separatio secundum rem, sed secundum immutandi rationem; nam intellectus, cum sit lux quaedam spiritualis, quodam contactu spirituali attingit ipsam quidditatem separando eam a conditionibus individualibus secundum rationem immutandi, sicut lux corporalis attingit albedinem vere in lacte separando eam adulterinae non secundum rem, sed secundum immutandi rationem, et ideo ista actio est sicut agentis remotionis prohibens" (Gonsalvus, *op. cit.*, 272); "... quia omnis dispositio possibilis esse in phantasmate vel in phantastico est singulare et modum singularis habens, cum tali autem dispositione non potest phantasma movere intellectum, ideo videtur dicendum quod huiusmodi actio vel operatio intellectus agentis non est positiva sic quod faciat aliquam dispositionem positivam et formalem subiective in phantasmate; sed est huiusmodi operatio vel actio per modum cuiusdam remotionis et abstractionis vel sequestrationis unius ab altero, non quidem secundum rem, sed secundum immutandi rationem. Sicut enim si poneretur quod, cum albedo et dulcedo lactis simul sunt quod lac, per seipsum absque praesentia luminis non posset se facere in medio secundum speciem coloris vel albi quin faceret se secundum speciem dulcis, sed lumine praesente facere posset se secundum speciem albi absque specie dulcis, et sic diceretur fieri abstractio albi a dulci non secundum rationem essendi sed secundum rationem immutandi" (Godfrey, *op. cit.*, 37). Cf. O. Lacombe, "La critique des théories de la connaissance chez Duns Scot", *Revue Thomiste* 35 (1930), 152, commenting on this section in Godfrey, and Martel, *op. cit.*, 131—2, commenting on Godfrey's text and comparing it with Gonsalvus of Spain.

Gonsalvus introduces section III of his Disputed Question by stating as his view that the agent intellect, insofar as it is something intrinsic to the soul, is not really distinct from the possible intellect. They are rather one power, *realiter differentes solum secundum rationem*.⁶⁰ After disposing of some further objections he then begins his positive effort to show that they are not really distinct from one another. This, he suggests, can be proved from the side of the powers themselves and he then proceeds to offer five arguments in support of his position. Four of these find close parallels in Godfrey. For our purposes it is important to remember that they are presented by Godfrey as arguments used by those who defend the essential sameness of the agent and possible intellects, the view that he himself rejects.

Introductory Remarks

Gonsalvus (p. 273)

Nunc autem, ultimo, ostendendum est quod intellectus possibilis et agens non sunt diversae potentiae realiter differentes, quod probatur ex parte potentiarum . . .

Godfrey (p. 57)

Respondeo dicendum quod quidam dicunt quod intellectus agens et possibilis sint eadem potentia per essentiam. Et ad hoc inducunt quatuor rationes.

The parallelism between the arguments works out as follows. Gonsalvus' arguments 1, 2, 3, and 5 correspond respectively to Godfrey's arguments 1, 3, 2 (as formulated in his *in opponendo* section), and 4.

Argument 1

Gonsalvus (pp. 273—4)

1. Primo, sic: (1) quandocumque aliqua duo sic se habent ad invicem

Godfrey (p. 57)

Prima et secunda in virtute tactae sunt in opponendo, excepto quod

⁶⁰ *Op. cit.*, 271. On the meaning of this expression (*realiter differentes solum secundum rationem*) cf. Martel, *op. cit.*, 116—118. Martel concludes that Gonsalvus has in mind a distinction in terms of modes or aspects rather than a purely logical one. Thus agent and possible intellects are identical insofar as they are one and the same power, but they differ in terms of their functions. Cf. p. 117, note 58, for a suggested comparison with the *rationis realis* distinction of Olivi. In his "The Doctrine of the Possible and Agent Intellects in Gonsalvus Hispanus' Question XIII" [*Franciscan Studies* 29 (1969), 27—28], Jorge T. Gracia interprets this to mean that "these powers are not two but one power of the soul not really distinct (*realiter*) but only conceptually so (*secundum rationem*)". However, Gracia has shifted the position of an important comma and thereby separated the term *realiter* from the rest of the expression, *differentes solum secundum rationem*. In the Amorós edition the text reads: "His ergo remotis, dico quod intellectus agens, prout est aliquid animae, realiter non differt ab intellectu possibili, sed sunt una potentia, realiter differentes solum secundum rationem" (271). In any event it is clear that Gonsalvus rejects a real distinction between these powers.

quod unum illorum est receptivum maioris perfectionis quam aliud, et illud aliud non est illa perfectio nec habens illam perfectionem, illud quod sic est receptivum maioris perfectionis est ens perfectius et nobilius . . .

(2) Sed si intellectus possibilis esset alia potentia realiter ab intellectu agente, ipse esset receptivus maioris perfectionis quam intellectus agens, quia esset receptivus actus intelligendi et habitus; intellectus vero agens, si sit alia potentia realiter et aliquid animae, solum haberet phantasmata illustrare, quod est multo ignobilius, nec intelligeret nec cognosceret plus quam sol; ergo si intellectus possibilis esset alia potentia ab intellectu agente, intellectus possibilis nobilior esset potentia et excellentior quam intellectus agens, quod falsum est, quia semper est agens praestantius patiente potentia.

primam aliter formant quam in opponendo sit formata. Formant ergo eam sic: (1) illud quod est receptivum nobilioris perfectionis est nobilius eo quod non est receptivum talis perfectionis, dummodo illud non receptivum non sit illa perfectio nec habeat eam actu quia nobilius esset, quia esset illa perfectio vel quod haberet eam actu quam quod reciperet eam actu; (2) sed si intellectus agens differt realiter a possibili, intellectus possibilis est receptivus vel capax nobilioris perfectionis quam intellectus agens; nec intellectus agens est illa perfectio nec habens eam actu; ergo etc. Maior supponitur. (ad 2) Minor declaratur; quia intellectus possibilis est receptivus habitus scientialis et ipsius actus sciendi, et istae sunt nobiliores perfectiones quam sit illud quod convenit intellectui agenti, scilicet abstrahere; nec intellectus agens est dictae perfectiones, nec habens eas actu; ergo etc.

The parallelism between the two versions of this argument is clear. In step (1) Gonsalvus argues that when two things are so related to one another that one is receptive of greater perfection than is the other, and the latter is neither the perfection itself nor actually possesses it, then the one which receives the greater perfection is itself more perfect and nobler than the other. Godfrey's version cites this same principle: that which is receptive of nobler perfection is nobler than that which is not receptive of such perfection, provided again that the same two conditions are met. The one which is not receptive of that perfection must not be that perfection itself nor actually possess it. (For another instance of this distinction cf. Godfrey as cited in our text above, p. 334.) In either of these cases, Godfrey's version adds, it would then be nobler in that it would either be identified with the perfection itself or else would already actually possess it. In a section we have omitted from our citation Gonsalvus explains why he has added these two qualifications, namely, because of the matter-form relationship and because of the relationship between the wayfarer and the one who already possesses his goal. As regards the first, matter is indeed receptive of greater

perfection than is its form, since matter receives that form itself. But this does not imply that matter is nobler than form, since the form, the second term of the comparison, is the perfection itself. Hence the principle will not apply here. As regards the wayfarer, it is true that he can receive a greater perfection than the one who already possesses it. But this does not imply that the wayfarer is nobler than the other, since the latter already actually possesses that which the wayfarer is only capable of receiving. Apart from the illustration of these two conditions, then, step (1) is fundamentally the same in both versions.

In step (2) Gonsalvus reasons that if the possible intellect were really distinct from the agent intellect, then it would be receptive of greater perfection than is the agent intellect. According to the principle of step (1) it would therefore be nobler. This would follow since it would be receptive both of the act of understanding and of the habit of science. The agent intellect would be restricted to illuminating the phantasms, something much less noble, which would give it no greater title to actual knowledge than that enjoyed by the sun. In this step Godfrey's version also maintains that if the agent intellect were really distinct from the possible intellect, then the possible intellect would be receptive or capable of a nobler perfection than is the agent intellect. The agent intellect would neither be identified with that perfection nor would it actually possess it. In proof his version also notes that the possible intellect is receptive of the habit of science and of the very act of knowing, each of which is nobler than that which pertains to the agent intellect, to abstract. Since the agent intellect is not to be identified with these perfections and does not actually possess them, the conclusion follows. The possible intellect would be nobler, a consequence presumed to be unacceptable by both versions. The similarity is great, then, between these two versions, so great as to point strongly towards interdependence.

Argument 2

Gonsalvus (p. 274)

2. Secundo, arguitur sic: (1) intellectus possibilis de se quaedam lux est naturalis ipsi animae; (2) sed in uno lucido non est nisi una lux naturalis; ergo in intellectu et in natura intellectuali non erit nisi una potentia illuminata; cum ergo intellectus agens sit lux quaedam,

Godfrey (p. 58)

Secundam rationem formant sicut formata est in opponendo.

Tertia ratio talis est: (1) sicut in corporalibus non potest esse nisi una lux corporalis numero, ita in spiritualibus non potest esse nisi una lux spiritualis numero; (2) sed intellectus agens et intellectus possibilis ex

sequitur quod sit idem realiter cum intellectu possibili. — (ad 1) Maior probatur: quia licet in corporalibus non sit idem illustrare et cognoscere, tamen in spiritualibus idem sunt, quia quod cognoscit habet manifestare in consequens, cum et omne quod manifestat lux quaedam est. Hoc idem patet per Glossam super illud Psalmi: *Signatum est super nos lumen vultus tui Domine*, ubi dicit Glossa, in secunda expositione praedictae auctoritatis, quod 'lumen vultus dicit rationem, quia illuminat hominem etc.'

natura sua quamdam lucem dicunt; ergo uterque istorum sunt una lux numero per essentiam. Maior supponitur. (ad 1) Minor etiam patet quantum ad intellectum agentem qui dicitur quaedam lux spiritualis; quantum autem ad intellectum possibilem patet per Glossam super illud psalmi: 'signatum est super nos lumen vultus tui, Domine', ubi Glossa dicit: lumen vocat rationem, ergo etc.

The fundamental principle utilized in the two versions is the same and is found in step (2) in Gonsalvus and in Godfrey in step (1). As Gonsalvus formulates it, there can only be one natural light in one shining thing. Since the agent intellect is a kind of light and since this principle also applies to intellectual nature, it follows that the agent intellect must be identical with the possible intellect. This conclusion presupposes Gonsalvus' assumption in step (1), that the possible intellect is also a certain light in the soul. Godfrey's version reasons that the principle applies to spiritual things as well as to corporeal ones: just as there can only be one corporeal light in a given corporeal thing, so too there can only be one spiritual light in a given spiritual thing. But since according to his step (2) both agent and possible intellects are a kind of light, the conclusion follows. They are numerically one and the same light.

Common to both versions is the assumption that the agent and possible intellects may be described as a kind of light [Gonsalvus, step (1) and (2); Godfrey, step (2)]. In support of the view that the possible intellect is a light, Gonsalvus first notes that to illumine and to know are one and the same in spirits as distinguished from bodies, since that which manifests is a kind of light. Granted that this particular explanation is absent from Godfrey's text, both versions then appeal to the Gloss on Psalm 4, 7.⁶¹ The Gloss's comment that the psalmist has described reason as a light is offered by both versions in support of the claim that the possible intellect is also a kind of light. In spite of some minor differences in the order of the steps and in details, the similarities are

⁶¹ For the Gloss cf. Peter the Lombard, *Comment. in Psalm.* (PL 191, 8

great enough to suggest interdependency, especially if the general context, i. e., similarity of the other arguments, points to this.

Argument 3

As the text cited above from Godfrey indicates, one must turn to his *in opponendo* section for the next argument, the second according to his listing, but the third in Gonsalvus.⁶²

Gonsalvus (p. 274)

3. Praeterea, tertio, sic: (1) quod nobilitate actus cognoscitur nobilitas potentiae; sed intelligere est actus nobilior quam illustrare phantasmata; sed si intellectus possibilis esset alia potentia ab intellectu agente in anima, intellectus agens solum phantasmata illustraret et non intelligeret, aliter duae potentiae in homine intelligerent; sed tunc intellectus possibilis esset nobilior potentia quam intellectus agens, (2) quod falsum est et contra Philosophum, III *De anima*.

Godfrey (p. 57)

... arguitur quod intellectus agens et possibilis sint una potentia essentialiter, quia si intellectus agens differet realiter a possibili, intellectus possibilis esset nobilior agente; (2) sed hoc est falsum; ergo etc. Falsitas consequentis patet. (ad 1) Consequentia probatur; quia illud est nobilius cuius est operatio nobilior et quod immediatius se habet ad id quod nobilius est; sed si intellectus agens differt realiter a possibili, operatio intellectus possibilis est nobilior, quia ei convenit intelligere, non sic intellectui agenti, si differt realiter a possibili; etiam immediatius se habet ad id quod nobilius est, scilicet ad intelligere, quia immediate se habet ad intelligere, intellectus vero agens non nisi mediante phantasmate, ergo etc.

Granted some minor differences in organization again, the two versions are fundamentally the same. Each argues that if the two intellects were really distinct, the possible intellect would be nobler than the agent intellect [Gonsalvus, step (1); Godfrey, step (1)]. In each case this consequence is rejected as unacceptable in step (2). The proof for the major precedes its explicit formulation in Gonsalvus whereas in Godfrey it is developed after the argument itself has been presented [ad (1)]. Gonsalvus appeals to the principle that the nobility of a power is known from the nobility of its action. Since the act of understanding

⁶² Curiously, according to the manuscript Gonsalvus also refers to this as his second argument (Amoros, *op. cit.*, 274, a). Since it comes after his second argument and before his fourth, however, Amoros is justified in correcting the text (*tertio*).

is nobler than the act of illuminating phantasms, and since a really distinct agent intellect would be restricted to the latter, it follows that a really distinct possible intellect would then be the nobler power. It is assumed without again being stated here that the act of understanding belongs to the possible intellect. It is also assumed that only one power in man can in fact understand. In the ad (1) section, Godfrey's version appeals to the same principle, that is nobler whose operation is nobler and then adds, or which is more immediately related to that which is nobler. But if the agent intellect were really distinct from the possible intellect, the act of understanding would belong to the latter and not to the former. Therefore, the possible intellect would be nobler, since the nobler action would belong to it. Moreover, adds Godfrey's version, the possible intellect would be more immediately (directly) related to that which is nobler, that is, to the act of understanding, than would the agent intellect. The latter would not be so related except by means of phantasms. Apart from this final addition by Godfrey and apart from some differences in the organization as already indicated, the fundamental logic of the two versions is basically the same.

In Gonsalvus' text this argument is immediately followed by an objection and his reply to it.⁶³ It might be said against the argument that because the agent intellect is also required for there to be an act of understanding, it does not follow that the possible intellect will be nobler if the two are really distinct. In replying Gonsalvus appeals to the relationship between the intellect and the will. Granted that the operation of the intellect is required for volition to occur, it does not follow that the intellect is therefore nobler. Therefore, *mutatis mutandis*, the same can be said here. Granted that the agent intellect's action is required for that of the possible intellect and granted that the action of the phantasm on the possible intellect is also required, it does not follow that the phantasm is nobler than the possible intellect. Presumably then, Gonsalvus' conclusion although unstated is this, that it will not follow either that the agent intellect is nobler than the possible intellect.

⁶³ "Si dicas quod non sequitur intellectum possibilem esse nobiliorem quam intellectum agentem, licet ipsius intellectus possibilis sit intelligere, quia intellectus agens requiritur ad hoc quod efficiatur actus intelligendi, contra: si ponatur quod actus voluntatis sit in voluntate et tamen actus intellectus ad hoc requiratur, actio et operatio intellectus [requiruntur] ad hoc quod actus voluntatis sit in voluntate, et tamen intellectus per positum non est nobilior, similiter sequitur in proposito: licet intellectus agens requiratur ad actionem intellectus possibilis [et] ista etiam operatio phantasmatis in intellectu possibili requiratur ad actum intelligendi, non tamen phantasma est nobilius intellectu possibili." *Op. cit.*, 275.

The appearance of this objection and reply in Gonsalvus' text is of interest because it closely parallels a briefer reference in Godfrey's text, at the end of his presentation of the first argument for the opposed position. As will be recalled, that first argument also maintained that the theory of real distinction between the agent and possible intellects leads to the unacceptable consequence that the possible intellect is nobler than the agent intellect. There, in anticipating an objection, Godfrey's version remarked that if abstraction is presupposed for the act of understanding, this does not imply that it is nobler and therefore (although this point is not explicitly stated) does not imply that the agent intellect is nobler than the possible intellect. Godfrey's version then appeals to those who hold that the will is nobler than the intellect. Even they do not deny that intellection precedes volition.⁶⁴

The fact that this objection and reply appear in Gonsalvus as well as in Godfrey's version and in each case follow an argument according to which the possible intellect would be nobler than the agent intellect if they were really distinct further strenghtens the case for interdependence between the two versions. Moreover, Godfrey appears to have noticed the similarity between arguments one and two (according to his classification). As he indicates, both have been touched on in his section *in opponendo*. Rather than reformulate the second (the third according to Gonsalvus' classification), he simply refers the reader to that section. But since he does reformulate the first argument, one would not be surprised to see him appending to it this objection and reply, if he is indeed following Gonsalvus here. In any event he is following some defender of the opposed view who has offered these arguments for that view, and who has defended one of them against this same objection in the same way Gonsalvus has.⁶⁵

Argument 5 / Argument 4⁶⁶

Gonsalvus (pp. 275—76)

Praeterea, quinto, sic: illa potentia quae pertinet ad imaginem nobilior est illa quae non pertinet ad

Godfrey (p. 58)

Quarta ratio est: si intellectus agens differret a possibili, intellectus agens vel non pertineret ad imagi-

⁶⁴ "Dato autem quod abstrahere praeexigatur ipsi actui intelligendi, non tamen oportet quod sit nobilior; sicut etiam secundum ponentes quod voluntas sit nobilior intellectu, licet actus intellectus sit praeuius actui voluntatis, non tamen est nobilior." *Op. cit.*, 57—8.

⁶⁵ For Godfrey cf. *op. cit.*, 57—8.

⁶⁶ Although listed by Godfrey as argument 4 it corresponds to argument 5 in Gonsalvus. Gonsalvus' argument 4 does not find an exact parallel in Godfrey's exposition.

imaginem; sed intellectus possibilis pertinet ad imaginem, intellectus vero agens, si esset alia potentia, non pertineret ad imaginem; ergo intellectus possibilis esset potentia nobilior agente si esset potentia alia.

nem vel minus nobiliter quam intellectus possibilis; sed hoc est inconveniens; ergo etc.

Presupposed as background for this argument is the Augustinian theme that in some way an image of the Trinity can be found in man's soul. For instance, in Bk. X of his *De Trinitate* Augustine had proposed the following: *memoria, intelligentia, voluntas*.⁶⁷ If one is to maintain the nobility of the agent intellect and remain true to this Augustinian theme, it will be necessary to show that it does indeed share in this condition of image. Common to both versions of the present argument is the contention that a theory of real distinction between the agent and possible intellects either cannot safeguard a role as image for the agent intellect at all, or else not as perfectly as for the possible intellect, as Godfrey's version adds. Thus Gonsalvus argues as follows. That power which shares in the image is nobler than that which does not. But the possible intellect does share in this image. Hence, if the agent intellect is distinct from the possible intellect, it will not share in the image and the possible intellect will therefore be the nobler power. Godfrey's version concentrates on the point that a really distinct agent intellect either will not pertain to the image at all or else in less noble fashion than does the possible intellect. This is rejected as unfitting, presumably for the same reason as that expressed by Gonsalvus. That which shares in the condition of image is nobler than that which does not. The two texts continue:

Sed minor negatur. . . Dicunt enim quidam quod intellectus agens pertinet ad imaginem, quia se tenet cum memoria, propter duo: tum quia sicut ipsius memoriae est continere species intelligibiles, ita intellectus agens virtualiter illas species continet, tum quia memoria, quia parens est, habet virtutem movendi, et hoc convenit intellectui agenti.

Falsitas consequentis supponitur. Consequentia probatur, quia intellectus agens, si differt a possibili, (1) aut pertinet ad imaginem inquantum virtualiter continet species intelligibiles;

⁶⁷ Note in particular the following passage: "Haec igitur tria, memoria, intelligentia, voluntas, quoniam non sunt tres vitae, sed una vita; nec tres mentes sed una mens; consequenter utique nec tres substantiae sunt, sed una substantia." *De Trinitate* X, 11 (PL 42, 983). For more on this Augustinian doctrine cf. E. Gilson, *The Christian Philosophy of Saint Augustine* (New York, 1960), 219—224.

2. Alii vero dicunt quod intellectus agens habet duos actus: unum respectu phantasmatum et alium respectu intellectus possibilis; et quantum ad istum secundum actum dicunt quod pertinet ad imaginem, quia *sic est quaedam lux lucens in intellectu possibili ad recipiendum primum actum intelligendi confusum et ad eliciendum secundum actum intelligendi perfectum*: et quia imago perfecte consistit in actibus, ideo intellectus agens, quia sic disponit ad actum, dicitur pertinere ad imaginem.

3. Alii vero dicunt quod intellectus possibilis, ut conservativus specierum, dicitur memoria; sed hoc non sufficit ad rationem memoriae, sed requiritur quod sit parens, et ita memoria, quod non convenit intellectui possibili, ideo requiritur obiectum movens; sed quia obiectum non movet nisi in virtute intellectus agentis, ideo memoria perfecta, ut contentiva specierum et ut parens, includit intellectum possibilem et agentem, et sic pertinet intellectus agens ad imaginem, ut dicunt. (Italics mine).

(2) aut ut disponit intellectum possibilem per modum cuiusdam luminis ad recipiendum primum actum intelligendi et ad eliciendum secundum:

(3) aut ut dat virtutem phantasmati ad movendum intellectum possibilem.

Before presenting the replies to these three alternatives as they are found in each version of the argument, some comparisons may be made. Gonsalvus is attempting to establish the minor of his argument, that a really distinct agent intellect will not share in the condition of image. He notes three ways in which opponents argue that the agent intellect does share in this condition of image.

1. Some hold that the agent intellect belongs to the image because it is associated with memory. (It will be recalled that *memoria* was one aspect of Augustine's description of the image in *De Trinitate*, X.). Gonsalvus cites two reasons offered by them for this view. Just as it belongs to the memory to contain intelligible species, so does the agent intellect contain them virtually. Again, insofar as memory begets (*parens est*), it must have ability to move, and such is true of the agent intellect. Godfrey's version reasons that a really distinct agent intellect

may be said to belong to the image in one of three ways. According to the first of these (1) this would be so insofar as it virtually contains intelligible species. Godfrey's version here is much briefer than that found in Gonsalvus, but similar in that it reechoes the suggestion that the agent intellect contains intelligible species. Compare Godfrey and the italicized portion of Gonsalvus' text. Being so brief, his version does not contain the second suggestion about memory as *parens*.

2. Gonsalvus continues by noting that others assign two acts to the agent intellect, one with respect to the phantasms, and one with respect to the possible intellect. As regards this second act they maintain that it does thereby share in the condition of image because it is a light, shining on the possible intellect, in order for the latter to receive its first and confused act of understanding and in order for it to elicit its second and perfected act. Godfrey's version (2) cites this second way in which it may be said to share in the condition of image, in that as a kind of light it disposes the possible intellect to receive its first act of understanding and to elicit its second. Cf. the italicized portion of Gonsalvus' text for the parallel. Again, Godfrey's version is much briefer.

3. Gonsalvus refers to others who note that insofar as it conserves species the possible intellect is also called memory. But for memory to be complete, something more is required. It must be productive (*parens*). For this a moving object is also necessary, which can only occur by means of the agent intellect. Hence memory in the full sense includes both possible and agent intellects, and therefore, the agent intellect will also be included in the image. Godfrey's version (3) simply notes that the agent intellect may also be described as belonging to the image insofar as it gives to the phantasm the power of moving the possible intellect. Granted the difference in language, this may be seen as a parallel to the suggestion in Gonsalvus that for memory to be complete a moving object is also required. The object cannot move the possible intellect apart from the action of the agent intellect on the phantasm.

Granted the diversity in length of presentation and the absence of certain non-essential elements from Godfrey's text, there are striking parallels between the two versions. The same three ways are listed in which opponents of the argument might maintain that the agent intellect is included in the image of the Trinity in the soul. Moreover, one has the impression that Godfrey is succinctly summarizing a longer version of this argument. Since such a longer version is found in Gonsalvus,

the evidence seems to point both to interdependence and to Godfrey's dependence on Gonsalvus.

The two versions reply to these three proposals as follows:

Gonsalvus:

a. Sed contra primum arguitur sic: quod Augustinus ponit speciem in memoria formaliter et non solum virtute, sicut patet X et XI *De Trinitate*.

b. Contra secundam viam arguitur sic: secundum illam viam solum intellectus agens dispositive pertinet ad imaginem et non immediate quomodo pertinet intellectus possibilis ad imaginem; ergo intellectus agens vel non pertinet ad imaginem vel est ignobilius intellectu possibili.

c. Contra tertium arguitur sic: quia ex illo sequitur quod quatuor realiter diversa pertineant ad imaginem, scilicet intellectus possibilis, obiectum, intellectus agens, et voluntas. — Item, sequeretur quod phantasma movens includeretur in imagine, quod falsum est. — Item, sequeretur quod intellectus agens non ut pars pertineret ad imaginem, sed ut pars partis, et sic ignobilius esset quam memoria.

Godfrey:

Non primo modo; quia hoc videtur esse contra Augustinum decimo vel undecimo *De Trinitate*, quia intellectus informatus specie videtur habere rationem memoriae ad quam solam potest pertinere intellectus agens.

Nec secundo modo; quia, ut est dispositio ad recipiendum, non pertinet ad memoriam quae patiens est et agens; nec ut disponit etiam per actum receptum ad eliciendum secundum, quia non immediate attingeret possibilem, et sic pertineret minus nobiliter quam intellectus possibilis, quia pertineret mediate, intellectus possibilis pertinet immediate.

Nec tertio modo; quia tunc phantasma pertineret ad imaginem et sic imago non pertineret ad solum intellectum. Dato etiam quod sit (*read* sic) posset pertinere ad imaginem, non pertineret tamen ita nobiliter sicut intellectus possibilis, quia intellectus possibilis pertinet immediate, quia immediate respicit intelligere, intellectus autem agens non nisi mediante phantasmate; ergo etc.

As regards the first proposal, that the agent intellect would belong to the image insofar as it is associated with memory and virtually contains intelligible species, both versions reply by referring to Augustine's discussion of memory in *De Trinitate* X and XI.⁶⁸ As interpreted by Gonsalvus, Augustine there means that the species must be in the memory in a formal sense and not merely virtually. Since they would only be virtually contained in the agent intellect, this first proposal is thereby refuted. Gonsalvus does not, however, here advert to the second

⁶⁸ Cf. *De Trinitate* X, 11 (PL 42, 983); XI, 3 (PL 42, 988—9); XI, 9 (PL 42, 996).

part of that proposal as he has presented it, according to which memory as *parens* must have the ability to move. Godfrey's version takes Augustine to mean that the intellect as informed by its species has the part of memory in the tripartite image, the only part to which the agent intellect could belong. It is apparently assumed that the agent intellect cannot be said to be "informed by its species" and therefore that it cannot belong to the image as memory.⁶⁹

As regards the second proposal, the two replies are again quite similar. It had been suggested that the agent intellect would pertain to the image by acting as a kind of light on the possible intellect, disposing it to receive a first act of understanding and to elicit a second. Gonsalvus counters that the agent intellect would not then belong to the image immediately but only by disposing for it (*dispositive*). Hence it would not pertain to the image at all, or else only less nobly (literally, more ignobly) than does the possible intellect. Godfrey's version of the argument also rejects this second proposal. As a mere disposition the agent intellect would not pertain to memory, for the latter is both agent and patient. Judging from Godfrey's later and personal criticism of this part of the argument,⁷⁰ he understands this to mean that in disposing for the reception of the first act of knowledge the agent intellect would not be passive (*patiens*) and would not be qualified to share in the role of memory, which is both active and passive. In Godfrey's text the argument then continues by criticizing the second suggestion, that the agent intellect would share in the role of image by eliciting the second act of understanding. In this role it would not immediately touch on the possible intellect, and hence would belong to the image less nobly than does the possible intellect.

Gonsalvus argues against the third proposal on three grounds. First, it would follow that four different things pertain to the image, namely, the possible intellect, the object, the agent intellect, and the will. He regards this as unacceptable, perhaps because the threefold character of the image as a reflection of the Trinity would thereby be compromised.

⁶⁹ For confirmation of this interpretation cf. Godfrey's personal refutation of this reply: "Ad illud ergo quod dicitur contra primum[dicendum] quod intellectus informatus specie potest dici intellectus agens ut virtute continens obiecta quasi quasdam species intelligibiles ita quod improprie accipitur ibi informari, si tamen Augustinus dicit quod memoria est intellectus informatus specie." (*op. cit.*, 61).

⁷⁰ Godfrey's refutation of this section of argument 4 reads as follows: "Ad id quod dicitur contra secundum, dicendum quod, dato quod intellectus agens ut disponit ad recipiendum primum actum intelligendi non sit patiens, tamen prout virtute intellectus agentis mediante prima intellectione, homo movet se ad secundam intellectionem est patiens" (*op. cit.*, 61).

Again, the moving phantasm itself would be included in the image. This is also to be rejected according to Gonsalvus. Finally, the agent intellect would not belong to the image as a part, but rather as a part of a part. Hence it would be more ignoble than the memory. The third proposal, it will be recalled, had argued that since a moving object is required for memory to be productive, the agent intellect should also be included in memory. Gonsalvus' third criticism of this, that the agent intellect would be included in the image only as a part of a part, means that it would be a part of one of the three aspects of the image in the soul, the memory. Therefore, it would again pertain to the image in a more ignoble fashion than does memory. Gonsalvus' three criticisms of this reply to the third proposal do not find perfect parallels in Godfrey's text. However, the first part of his objection does correspond to the second criticism found in Gonsalvus. According to this hypothesis the phantasm would also be included in the image. This is rejected because the image would then no longer be restricted to the level of intellect. Then his text restates the view that even if the agent intellect does pertain to the image it will not do so as nobly as does the possible intellect. The possible intellect does so immediately, whereas the agent intellect does so only by means of the phantasm.

As regards this rather lengthy argument, then, in spite of a number of differences in detail, the parallels between the two versions seem to be sufficiently great to suggest interdependence once again. This parallelism is true not only with respect to the various steps of the argument but also in terms of its overall structure. The close similarity between the three counterproposals and their subsequent refutations is especially striking.

In concluding our analysis of these four arguments, then, it should again be recalled that they were presented by Gonsalvus in support of his own view. Godfrey, on the other hand, has considered them in some detail only to refute them.⁷¹ Our analysis has confirmed the close parallelism between the two versions of these arguments, a parallelism too close to be accounted for by mere chance. Although chance might account for the recurrence of one or other argument or one or other element of a given argument in the two texts, it can hardly account for similarities of organization and detail that apply to all four as they appear in our two sources. Given the evidence for interdependence, we have added reason to take Godfrey at his word and Gonsalvus at

⁷¹ *Op. cit.*, 60—61.

his. Since Godfrey presents them as arguments developed by some defender of real identity of agent and possible intellects and since one finds them offered by Gonsalvus in defense of that same view, it is much more reasonable to conclude that Godfrey drew them from Gonsalvus than to hold that Gonsalvus would have depended on Godfrey, his archrival on the point, for his strongest arguments for his own position.

In short, then, our examination of Gonsalvus' *Disputed Question* 13 and Godfrey's Q 15, q. 11 confirms our earlier conclusions with respect to Gonsalvus' *Disputed Question* 11 and Godfrey's Q 15, q. 10. In neither instance have we found evidence to support SCS's contention that Gonsalvus was textually dependent on Godfrey's Q 15. Strong evidence for textual interdependence has been presented, and this interdependence is admitted both by SCS and by Glorieux. All signs indicate that Glorieux was correct, and that Godfrey was indeed referring to Gonsalvus rather than vice versa. Given the date of 1302—3 for Gonsalvus' *Disputed Questions* 11 and 13 then, one appears to be well justified in continuing to date Godfrey's Q 15 after that time rather than before it.

II: The Relationship between Henry of Ghent's Quodlibet 10 and Godfrey's Q 15.

Before concluding this study, however, we must examine some further evidence offered by SCS to show that Q 15 was not Godfrey's latest quodlibetal contribution, but in fact one of his earliest. As has been indicated in the opening pages of this study, SCS suggests that Henry's Quodlibet 10 be redated from Christmas, 1286 (Glorieux's date for it) to Easter, 1287. This would enable him to assign Godfrey's Q 15 to Christmas, 1286. Q 15 would have directly responded to Henry's Q 9 and would in turn have been refuted by Henry's Q 10.⁷² The most significant part of this proposal for our purposes is the assertion that Henry's Q 10 knew and refuted Godfrey's Q 15. If such should be true, then Godfrey's Q 15 would have to be dated at Christmas, 1286 at the latest. This, of course, would be opposed to Glorieux's proposed date for it and to the results of our examination of its interrelationship with Gonsalvus' *Disputed Questions* 11 and 13.

In developing his case SCS attempts to show that Q 15 is written in reply to Henry's Q 9. For instance, he compares Godfrey's Q 15, q. 3 with Henry's Q 9, q. 6. In q. 3 Godfrey raises this question: can one consistently hold that the will is efficiently moved by its object and

⁷² Cf. our text above, pp. 301—303, and SCS, *op. cit.*, 109—110, 114 ff.

that it moves other powers to act.⁷³ He then cites an argument which would seem to lead to a negative reply. If this proposition is defended it will follow that one and the same thing will be both cause and effect with respect to the same thing. Thus if the will moves the other powers to act, their activities themselves will be effects of this action by the will. But as objects of this act of willing they will also cause it, if one maintains that the will is efficiently moved by its object (as does Godfrey).⁷⁴ SCS sees in this text reference to Henry's Q 9, q. 6 where he holds: *simpliciter est voluntatis imperare, non autem intellectus*.⁷⁵

In the second part of his tenth chapter SCS cites a number of other instances wherein Godfrey's Q 15 appears to be refuting Henry's Q 9.⁷⁶

⁷³ Cf. SCS, *op. cit.*, 114—115. For Godfrey cf. PB 14, 12: "Utrum ista duo stent simul, scilicet quod voluntas moveatur ab obiecto effective et quod ipsa moveat alias potentias quantum ad exercitium actus." For other discussions of Godfrey's theory of volition cf. Arway, "A Half Century . . .", 211—217 and his references to Lottin's study of the same; J. de Blic, "L'intellectualisme moral chez deux aristotéliens de la fin du XIII^e siècle", *Miscellanea moralia in honorem ex. Dom Arthur Janssen* (Louvain, 1948), 45—76; Paul-Emile Langevin, "Nécessité ou liberté chez Godefroid de Fontaines", *Sciences Ecclésiastiques* 12 (1960), 175—203.

⁷⁴ Godfrey, *op. cit.*, 12. For his reply cf. 13—14. Although he does not delay to present Godfrey's solution to this question in Q. 15, q. 3, SCS does cite the following passage from Q 10, q. 13 (PB 4, 370) "*Quaerere ergo per quid homo magis sistat se secundum huiusmodi actus vel in talibus actibus, utrum scilicet per intellectum vel voluntatem, est quaerere ad quam harum potentiarum principalius pertineat imperare. Et quia de hoc alias fuit tactum, ideo quantum sufficit ad propositum, est dicendum quod cuiuscumque potentiae sit principaliter actus imperandi formaliter et subiective, tamen suppono quod actus utriusque ad hoc requiritur*" (Italics by SCS). SCS notes Dom Lottin's admission that he had not found this earlier passage to which Godfrey here refers, treating of the question of *imperium* (PM I, 323, note 3). SCS then concludes that the doctrine found here in Q 10, q. 13 is the same as that affirmed by Godfrey against Henry of Ghent in Q 15, q. 3. Therefore, one can assume that Godfrey was referring to Q 15, q. 3 in the passage just cited from Q 10 and that the former must be dated before 1293, the date of Q 10 (SCS, 115—116). This interpretation would be highly important for our investigation if it were well ground. However, according to Godfrey's text in Q 10, in some earlier passage he has discussed this question: to which of the two powers, the intellect or the will, does *imperium* belong more fundamentally? Q 15, q. 3 attempts to show that one can hold both that the will is moved by its object and that it moves the other powers to act without falling into contradiction. But as regards the question raised by the text from Q 10, Q 15, q. 3 tells us no more if as much as do certain passages from other Quodlibets. Cf. for instance Q 6, q. 7 (PB 3, 160—61) on the *dominium* or *imperium* of the will with respect to the acts of other powers and with respect to its own action, and the need for action both by reason and by will for the will to actualize any power; also 170—71. Cf. Q 6, q. 11 ("Utrum voluntas habeat dominium super actum intellectus tam speculativi quam practici"), PB 3, 218—28, especially 221—224; and Q 8, q. 16 PB 4, 176. Hence there is no need to see in the passage from Q 10 a reference to Q 15.

⁷⁵ *Op. cit.*, 114—115.

⁷⁶ *Op. cit.*, 115—128.

Rather than delay over these, and without necessarily conceding that Godfrey is here referring only to Henry's Q 9 to the exclusion of later quodlibets as well, we will simply agree with SCS on this point. Godfrey's Q 15 was certainly written after Henry's Q 9.⁷⁷ We must, however, consider SCS's evidence for his more crucial assertion, that Godfrey's Q 15 antedates Henry's Q 10.⁷⁸

Godfrey and Henry on the Motion of Falling Bodies

As one step in this effort to show that Godfrey's Q 15 is directed against Henry's Q 9 and is in turn refuted by Henry's Q 10, SCS turns to their respective explanations of the motion of heavy bodies. In Q 9, q. 5, before taking up in detail the question of the will's self-motion, Henry considers a number of other cases where things seem to exercise some causality on themselves. As regards heavy bodies he notes that accidents subsist in a generated substance by means of the form from which they derive metaphysically. The movement due to weight is to be treated as such an accident. Therefore, it does not proceed immediately and essentially from an external agent but rather from that form.⁷⁹ Moreover, the distinction between matter and form accounts for such self-motion by heavy bodies, not in the sense that the form moves and the matter is moved, but in the sense that the substantial

⁷⁷ *Op. cit.*, 128. On p. 124, note 60, SCS offers an argument from internal evidence to support his case. There he cites Godfrey's Q 4, q. 8, where he briefly refers to different opinions with respect to the will in the course of replying to the question: "Utrum voluntas humana contineat duas potentias sicut intellectus humanus." Thus Godfrey comments "... ita etiam cum res secundum quod apprehensa ab intellectu possit movere voluntatem, non requiritur ad velle appetere vel amare nisi una potentia ex parte voluntatis, sive ponatur voluntas potentia sic passiva quod per modum passivi ab obiecto apprehenso moveatur, licet etiam activa sit movendo omnes alias per modum agentis et ad suos actus impellentis, sive sit activa quod moveat se ipsam ad obiectum apprehensum". Then some lines farther on Godfrey comments: "... ita non est ponenda nisi una potentia in voluntate quae est dicenda activa vel passiva, vel aliquo modo activa et aliquo modo passiva *secundum quod iam dictum est*, vel secundum quod diversimode circa hoc sentiunt aliqui" (Italics mine). SCS sees in the underlined part a reference to Q 15 which, if such were the case, would imply that Q 15 was prior to Q 4 (Christmas, 1287). However, this is a surprising claim since Godfrey simply seems to be referring to the first passage just cited, which is found on the same page (PB 2, 258).

⁷⁸ SCS, *op. cit.*, 128.

⁷⁹ SCS, *op. cit.*, 116, commenting on Henry of Ghent, Q 9, q. 5. For Henry's text cf. *Quodlibeta* (Paris, 1518, repr. Louvain, 1961). Note that SCS himself cites Henry from the Venice, 1613 edition. Interestingly enough, in the text cited by SCS in note 35, p. 116, Henry is closely following Averroes in his Commentary on Aristotle's *De Caelo*. Cf. *In De Caelo* (Venice, 1562), T. 5, fol. 198V. For Henry cf. *op. cit.* (Paris, 1518), T. 2, fol. 359V.

whole moves itself and is moved respectively by reason of these two principles.⁸⁰

According to SCS this view of Henry accounts for Godfrey's discussion in Q. 15, q. 20. There he raises the question: *Utrum sequatur quod si grave movetur effective a generante, quod moveatur effective a forma sua*.⁸¹ His subsequent discussion introduces some important precisions into what was by then (whether the date be 1286 or 1303/4) a widely discussed issue, the explanation of the movement of falling bodies.⁸² Before attempting to determine whether a heavy body is moved efficiently by its form, one should distinguish between substantial and accidental forms.

If one has in mind the heavy body's substantial form, Godfrey denies that this form is to be regarded as the efficient cause of that body's motion. Nor should it be said that the heavy body moves itself (efficiently) by means of its substantial form, whether immediately or in the mediate sense. In this final way the substantial form would be regarded as the efficient cause of weight and would be said to cause motion by means of weight. While granting that weight is a proper accident of a heavy body, Godfrey denies that the substantial form is the efficient cause of the weight. It is rather a part of that which serves as the subject of weight. Consistent with a view developed elsewhere, Godfrey insists that the substantial form is not to be regarded as the efficient cause of the proper accidents found in a given substance.⁸³

However, if one raises this question with respect to the accidental form, weight (*gravitas*), Godfrey then distinguishes two theories. According to the first, while weight of itself does not produce the motion, it is an active principle with respect to it. This does not mean that the

⁸⁰ SCS, *op. cit.*, 116 and note 36, citing Henry, *op. cit.*, fol. 363R: "... quia in illis re differunt id ratione cuius movens movet, et ratione cuius movetur; grave enim movet se secundum formam, et movetur secundum materiam; non quod forma moveat et materia moveatur, sed quod forma est quo totum moveat et materia quo totum moveatur."

⁸¹ PB 14, 72.

⁸² *Op. cit.*, 73—4. For a helpful survey of many of these medieval theories on falling bodies, cf. A. Maier, *Studien zur Naturphilosophie der Spätscholastik*, Vol. III: *An der Grenze von Scholastik und Naturwissenschaft*, 2nd. ed. (Rome, 1952), 158—182. Also, cf. J. Weisheipl, "The Principle *Omne quod movetur ab alio movetur* in Medieval Physics", *Isis* 56 (1965), 26—45.

⁸³ *Op. cit.*, 73. Note in particular the following: "Nec propter hoc quod passiones consequentes subiectum dicuntur esse a generante, sequitur quod causetur effective a substantia generati..." Also cf. the lengthy discussion in Q 8, q. 2 (PB 4, 18—33): "Utrum subiectum potest esse immediatum principium praecipue effective alicuius sui accidentis", and that found in Q 6, q. 4 (PB 3, 117—118).

heavy body moves itself by means of the weight, but rather that the generator or preserver of weight in that body would move it by means of its weight. The generator or conserver of the weight would therefore cause both the form, weight, and the motion that follows from it. According to the second theory weight would be a principle of motion in this sense, that by means of it the heavy body would move itself mediately and, as it were, *per accidens* (*quasi accidentaliter per accidens*). Thus the heavy body would move the air and the moved air would move the heavy body. By means of the motion introduced into the air, the heavy body would move itself, but only in this qualified sense. According to each of these theories, concludes Godfrey, the heavy body would be moved by its generating and conserving principle because it would be moved efficiently by the accidental form, weight, which form itself was given by the generator and preserved by the conserver. Interestingly enough, Godfrey here gives no indication as to which of these two theories is his own.⁸⁴

⁸⁴ *Op. cit.*, PB 14, 74. Maier (*op. cit.*, 162) writes that he had rejected the second of these (which she identifies as Averroistic) elsewhere (Q 8, q. 2, PB 4, 27). On the other hand, Weisheipl (*op. cit.*, 38) lists Godfrey among those who accepted the Averroist interpretation. In fact, Godfrey makes passing reference in the discussion in Q 8, q. 2 to the view that a heavy body moves itself *per accidens*. He then comments that one must also ask what it is which first moves the heavy body thereby enabling it to move the medium. Rather than answer this question there, however, he simply states that it is treated elsewhere (*hoc autem alibi tractatur*). Cf. pp. 27–28. The editor of Q 8, J. Hoffmans, refers the reader to Q 6, q. 7 (PB 3, 156 ff.). Rather than present his own positive solution to this point there, however, Godfrey closely follows Averroes in his Commentary on Aristotle's *Physics* III (*In Phys.* [Venice, 1562] T. 4, fol. 367R–367V). In order to have genuine self-motion, composition of heterogeneous parts is required. Since such is not found in a simple body, one will not find in it the required distinction between *movens* and *motum*. Neither the distinction between matter and form nor that between the nature of the heavy body and the form, *gravitas*, will suffice to account for the motion of such bodies. Presumably then, although he does not develop the point here, Godfrey would demand that some extrinsic mover, the generating and conserving principle, be introduced in addition to account for such motion, as each of the solutions considered in Q 15, q. 20 would presuppose. Farther on in this same question he considers a number of instances cited by some against his view that the *per se et primo movens* and the *per se et primo motum* must be distinguished in subject. Among these is the case of the heavy body's motion. He replies: "Sed dicendum quod in omnibus istis non est idem movens et motum per se, sed in aliquibus idem est movens et motum per accidens ut in descensu gravis . . . Haec autem sunt magis naturalis quam theoreticae speculationis" (*op. cit.*, 167). For Godfrey, then detailed discussion of these matters pertains to natural philosophy rather than to metaphysics, which might be the simplest explanation of his statement in Q 8, q. 2: *hoc autem alibi tractatur*. There is no need to take it as a reference to Q 15, q. 20, as SCS suggests (*op. cit.*, 198).

According to SCS these views of Godfrey find immediate echo in Henry's Q 10, q. 9, especially in the following passage:

Eisdem etiam videtur quod modus ponendi praetactus non est conveniens, scilicet quod in voluntate sit aliquid movens, et aliquid motum, et aliquid potentiale, et aliquid actuale, et hoc sicut contingit in gravi et levi, et quod aliter periret liberum arbitrium.

Improbant enim primum sic, quoniam dicunt quod grave non movetur a se nisi quia movet aliud per se, et ideo se per accidens, et tale si movet se, oportet primo moveri ab alio a se. Quare et sic oportet sentire de voluntate. Item quod dicatur grave moveri ratione materiae, et movere ratione formae, hoc est inconveniens, quia subiectum motus non est nisi ens in actu secundum quod est in actu, ita etiam quod moveatur ratione eius quo est in actu, quale non est materia, quia est in potentia tantum. Si ergo grave movetur, totum compositum ex materia et forma est subiectum motus ratione totius et utriusque partis in eo, tam formae quam materiae simul. Quod autem sic subiectum motus est, non ratione totius, neque alicuius partis eius est principium aut ratio movendi active, neque ergo forma gravis, neque compositum ex materia et forma ratione formae est movens, aut ratio movendi active, sed solummodo aliquid extrinsecum.⁸⁵

In reply to SCS it should first be noted that this passage connects the discussion of the moving and moved principles in light and heavy bodies with Henry's defense of some kind of self-motion in the will. However, Godfrey makes no such connection in Q 15, q. 20. There he has limited his discussion to the question of the form and the efficient causality of a heavy body's motion. Moreover, he has only considered heavy bodies there without referring to light ones, granted that it would be natural enough for Henry to join the two in his treatment.

Moreover, Henry's text refers to some who hold that a heavy body is not moved by itself except insofar as it moves something else *per se* and thereby moves itself only *per accidens*. Consequently, according to the objection, one should say the same of the will: if it is to move itself it too must first be moved by something else. In responding to this objection Henry grants that as regards successive motion through a resisting medium, light and heavy bodies do not move themselves *per se*. Rather they move the medium *per se* and are moved by it, thus only moving themselves *per accidens*.⁸⁶ Since this view, that a heavy body moves itself only *per accidens* by means of its medium, was well

⁸⁵ For Henry, cf. *op. cit.*, fol. 426V, cited by SCS, *op. cit.*, 109—110 and 117. Italics by SCS.

⁸⁶ *Op. cit.*, fol. 427V. However, note that Henry's view differs with respect to instantaneous motion of such bodies should no medium be present. In that case such a body would move itself *per se* rather than *per accidens*.

known by the time of Henry and was frequently identified as that of Averroes,⁸⁷ one is hardly justified in seeing in the text just quoted from Henry an explicit reference to Godfrey's Q 15, q. 3. It is true that Godfrey refers to a similar theory there, but with this specification. It is only the accidental form, *gravitas*, and not the substantial form of the heavy body, that enters in as efficient principle of the body's motion. Moreover, as we have noted, he gives no indication there as to whether or not this is his own view.

The remainder of the passage presents another objection to Henry's position. It is unfitting to say that a heavy body is moved by reason of matter and that it moves by reason of form. If such a body is moved, the whole composed of matter and form is the subject of the motion, both by reason of the whole and by reason of each part found therein, that is, by reason of the matter and form. In such a body, then, its mover can only be something extrinsic and neither the form of that body nor the composite which would move by reason of the form.

It does not seem likely that this passage explicitly refers to Godfrey's Q 15, q. 3. Godfrey there limits his discussion to the role of form in accounting for the motion of a heavy body and does not consider that of matter. As regards the substantial form, Godfrey denies that it can be the efficient cause of the body's motion, or either an immediate or mediate principle whereby that body would move itself. With respect to the accidental form *gravitas*, Godfrey has presented two ways in which it might be regarded as an efficient principle of the heavy body's motion. According to each of these alternatives, it would be moved by its generating and conserving principle, in that it would be moved efficiently by the form *gravitas* given by the generator and preserved by the conserver. Insofar as *gravitas* itself would in some way be an intrinsic efficient principle of motion, neither of these alternatives corresponds in its details with the theory found in Henry's objection. Consequently, this text of itself does not indicate that Henry's Q 10 presupposes and refers to Godfrey's Q 15.

Godfrey and Henry on Virtual vs. Formal Possession of Perfection

SCS finds the parallelism between the following passages from Godfrey and Henry to be so great as to confirm his view once again as to the priority of Godfrey's Q 15 with respect to Henry's Q 10.⁸⁸

⁸⁷ Cf. Weisheipl (*op. cit.*, 36—37) for an exposition of Averroes' theory and for other medieval references to it. Also, cf. Maier, *op. cit.*, 151—4.

⁸⁸ Cf. *op. cit.*, 134 and note 13. Italics by SCS.

Godfrey, Q 15, q. 3 (p. 20)

Ad id autem quod adducitur in contrarium quod non potest dici ens formaliter quia dicitur ens ex habitudine ad substantiam, dicendum quod aliquid dicitur esse tale ex habitudine ad alterum dupliciter. Uno modo, quia forma a qua fit denominatio est in aliquo alio et non in illo quod denominatur, sicut urina dicitur sana ex habitudine ad animal in quo est sanitas a qua fit denominatio, et non in urina quae denominatur. Et similiter sol dicitur calidus a calore qui non est in eo, sed a calore quem efficit; est enim calidus virtualiter et effective. Et quod sic dicitur tale ex habitudine ad alterum non est tale formaliter, sed est tale effective vel indicative vel secundum aliquem alium modum. Et isto modo non dicitur accidens ens ex habitudine ad substantiam. Alio modo dicitur aliquid tale ex habitudine ad alterum, non quia forma a qua fit denominatio non sit in eo formaliter, sed quia *illam formam existentem in eo formaliter habet ab alio, sicut a causa*, vel sicut a causa efficiente, sicut omnia dicuntur entia ex habitudine ad Deum, quia entitatem suam quae formaliter est in eis habent a Deo sicut a causa efficiente, vel etiam sicut a causa subiective sustentante sicut omne accidens habet suam entitatem qua formaliter est ens a subiecto ipsum subiective sustentante. Et quod dicitur tale ex habitudine ad alterum, non oportet quin sit tale formaliter; unde non oportet quin accidens sit ens formaliter, saltem ens diminutum.

Henry, Q 10, q. 9 (fol. 427R)

Ad secundum quod illi adducunt, faciens aliquid de potentia in actum secundum aliquid oportet quod prius sit in actu secundum illud. Dicendum quod verum est, vel formaliter sicut calidum est in actu prius calidum, quando de potentia calido ut de frigido facit calidum; de quo procedit argumentum; vel virtualiter, quemadmodum sol est prius calidus, quando suo radio de potentia calido facit actu calidum. Est secundum hunc modum, ut dictum est, faciens se de potentia in actum secundum aliquid, prius est actu tale licet alio modo, et secundum hunc modum voluntas faciens se de potentia volente, actu volentem, prius erat volens virtualiter, scilicet habendo unde se potuit facere in actum volendi, licet non formaliter qualem se facit illa virtute. Ad tertium. Si ens in potentia faceret seipsum actu secundum aliquid, effectus esset dignior causa; dicendum quod verum est, si nec virtute esset prius illud. Nunc autem est virtute prius illud, et in hoc quia ipsum primum movens, in quo est, perfectius licet secundum aliam rationem, habet esse ipse effectus, *quam in eo in quo causatur formaliter*, quemadmodum unumquodque perfectius habet esse in sua causa prima, licet secundum aliam rationem, quam in seipso secundum propriam rationem, quae enim in seipsis non sunt vita, in Deo sunt vita . . . et quoad hoc faciens seipsum de potentia in actum, perfectius et secundum alium actum, quam secundum actum quem facit; pertinet tamen uterque actus ad integritatem suae perfectionis.

As regards Henry's text, he is again referring to a view opposed to his theory of the will's self-motion. According to this view the will is

passive *simpliciter* although active in some secondary way. As Henry sees it this conclusion ultimately rests on the refusal to admit that something could reduce itself from potency to act by itself without the aid of any external agent. After presenting a number of arguments used by defenders of this view, Henry then replies to them. The text just cited contains his response to the second and third arguments respectively.

According to the second argument, that which actualizes something else in a certain way must first itself be actual in that way, as is true of something which heats. Hence if the will should reduce itself from potency to the act of willing, it would first actually will before it could do this.⁸⁹ In his reply Henry observes that this is true either formally or virtually: formally, as when that which is actually hot heats something else which was only potentially so; virtually, as would first be true of the sun when by its rays it heats something else. Consequently, the will which reduces itself from potential willing to actual willing was indeed first in act with respect to willing, not in the formal sense, however, but only virtually (*habendo unde se potuit facere in actum volendi*).

The third argument reasons that if something should reduce itself from potency to act it would be an effect insofar as it was actualized, but a cause insofar as it was in potency. Hence the effect would be more perfect than the cause.⁹⁰ Henry replies that if such a being should actualize itself, the effect would be more perfect than the cause unless the being in question were already that effect virtually. But such is true in the present case. Thus the effect itself exists more perfectly in its cause than in that wherein it is present formally, just as everything exists more perfectly in its first cause, although virtually, than it does in itself formally.

In the suggested parallel passage from Godfrey, however, one finds a rather different argument, granted that he too distinguishes between virtual and formal possession of a perfection. In terms of the immediate context, Godfrey is here replying to a difficulty that had been raised earlier in this same q. 3. It seems that the true and the good do not belong to God in the formal sense, and for this reason. That which is

⁸⁹ *Op. cit.*, fol. 426V: "Secundo per hoc: quod illud quod facit aliquid in actu secundum aliquid ad quod prius erat in potentia oportet quod prius sit in actu secundum illud, ut quod facit aliud calidum oportet quod in seipso sit calidum. Voluntas ergo si seipsam de potentia faceret in actu volendi prius vellet antequam hoc faceret."

⁹⁰ *Ibid.* "Tertio per hoc quod si aliquid ens in potentia aliquid seipsum faceret in actum secundum quod est in actu esset causatum et secundum quod in potentia esset causa, et ita effectus esset perfectior sua causa."

predicated of something from its (the latter's) relationship to something else does not belong to it (the former) in the formal sense. For instance, health is predicated of urine because of its relationship to the animal wherein it is formally present. But health is not found in urine itself in the formal sense. In the same way, if the true and the good are predicated of God from his relationship to them as they are found in creatures, then they will not be formally present in God. Likewise, the same can be shown with respect to accidental being, that it is really not being in the formal sense. It is simply so named from its relationship to substance.⁹¹

In replying Godfrey notes that something can be said to be such because of its relationship to something else in one of two ways: 1) insofar as the form from which the name derives is found only in the other thing, but not in that to which it is now applied (as with urine which is described as healthy only from its relationship to a healthy animal, or as with the sun which is said to be hot only from its relationship to the heat it causes); 2) insofar as the form from which the name derives is indeed present in the thing itself but owes its presence therein to something else. Thus it may depend upon that other thing as upon its efficient cause, as when things are described as beings because they depend upon God as efficient cause of the being found in them. Or it may depend on something else as upon that which supports it as a subject, as is true of accidents with respect to substance. Consequently, the fact that something receives its name from its relationship to something else need not imply that it does not formally share in the perfection signified by that name.

There is similarity between the two texts to this degree, that each distinguishes between being something virtually and being something formally. Moreover, the example of the sun is common to both. However, the frame of reference differs in the two cases. Henry's text applies the distinction from the side of the cause in order to show how a perfection not formally present therein may be said to be virtually present. In Godfrey's text there is question of naming something by reason of its relationship to something else. Essential to his reply is the distinction between non-formal and formal presence of a perfection in a subject. One illustration of non-formal presence is that of the sun, which is said to be hot virtually.

⁹¹ *Op. cit.*, 13.

These similarities, however, are not great enough to point to direct textual interdependence. The example of the sun and the heat it causes had been used before the time of Henry's Q 10 or of Godfrey's Q 15, for instance in the Disputed Questions attributed to Walter of Bruges.⁹² The distinction between formal and virtual also appears to be foreshadowed there at least.⁹³ And should one accept SCS's proposed revision of the date of the three questions edited by Lottin from Ms. Vat. Lat. 2173, it would already have been explicitly formulated there.⁹⁴ The discussion in Godfrey's text parallels much more closely one found in Thomas Aquinas' *De veritate*, q. 21, art. 4, than that found in the

⁹² *Quaestiones disputatae du B. Gauthier de Bruges*, PB 10 (Louvain, 1928) ed. by E. Longpré, q. 4 ad 5 (p. 42) also cited by SCS (*op. cit.*, 69): "Exemplum esset in sole, qui est calidus effective vel potestative; si esse calidus posset formaliter, radius emissus potestative, si reflecteretur super se, faceret solem calidum formaliter et esset sol movens ad calorem et mobilis vel in potentia ad calorem per idem, non eodem modo sumptum, sed diversimode, scilicet *effective* et *formaliter*." He carries the example of the sun farther than does either Godfrey or Henry in that he suggests that if it could be hot in the formal sense, then it would be both mover and moved, although in different ways, namely, *effective* and *formaliter*. For a discussion of the dating of these questions cf. SCS, *op. cit.*, 33—39. Whether one places them c. 1267—69 (Lottin, PM I, 243) or between 1274—76 (SCS, 37), they are still significantly earlier than Godfrey's Q 15 and Henry's Q 10.

⁹³ The text cited above in note 92 is part of a reply to an objection: "Item, nihil unum et idem respectu ejusdem potest esse simul in potentia et actu . . . igitur voluntas non movet se nec est domina sui actus; sed quod non movet se, sed semper ab alio movetur, necessitatur; ergo voluntas necessitatur" (*op. cit.*, 35). The reply begins: "Ad quantum dic quod major est falsa nisi addatur 'et eodem modo'; et tunc non habet locum in proposito, quia una et eadem respectu ejusdem est in actu et in potentia et movens et motum, sed non eodem modo. Est enim innata quadam potestate per conversionem sui super se movens se in quantum est in potentia et quasi mobile respectu potestatis vel potestativi actus, qui est conversio super se. Exemplum esset in sole . . ." Cf. the previous note for the continuation. In brief, then, he is suggesting that in the case of the will something may be in potency and in act at the same time but not in the same way. By a certain innate power it can move itself *per conversionem sui* and at the same time be in potency or *mobile* with respect to that power. Just as the sun, if it could be hot in the formal sense, would then be moving (hot *effective vel potestative*) and moved (hot *formaliter*), so too the will would move or be in act in one sense (*effective*) and would be moved in another (*formaliter*). SCS insists on the importance of this passage for the development of the theory of virtual act, seeing in the proposed compatibility of being in act *effective vel potestative* and in potency *formaliter* an anticipation of the later proposal that something may be in virtual act and formal potency at the same time (*op. cit.*, 40—41; 68—70).

⁹⁴ Dom Lottin places it after Godfrey's Q 15 and therefore after 1303—4 (PM III, 650). SCS dates it between Christmas 1276 and March, 1277 (*op. cit.*, 72—4). As he points out the text refers to some who hold that something can be in formal potency and virtual act with respect to one and the same act. Thus the will would be in formal potency with respect to *velle* and also in virtual act with respect to it. Therefore it would be the efficient cause of its *velle* in itself and of itself. *Op. cit.*, 68—70, citing and commenting on a passage in Lottin's edition, PM III, 636—7.

passage quoted above from Henry. This is true both in terms of the question being discussed and in terms of the reply.⁹⁵ Finally it would hardly be likely that Henry would have found it necessary to draw his distinction between virtual act and formal act from Godfrey, who was himself so strongly opposed to Henry's theory of the will's self-motion. If one could establish direct textual interdependence here, it would surely run the other way, from Henry to Godfrey rather than from Godfrey to Henry.

Godfrey and Henry on Causae sine quibus non

SCS also cites the following passages to support his case.⁹⁶

Godfrey, Q 15, q. 4 (p. 24)

Si dicatur ad hoc: voluntas in nullo movetur ab obiecto cognito, tamen sequitur cognitionem volentis sicut causa sine qua non, contra: primo, ponitur unum falsum, scilicet quod semper requiratur causa sine qua non et de necessitate, cuius oppositum probatum est alias; secundo, quaero utrum sit ita causa sine qua non *quod nihil faciat ad effectum istum*, sicut si diceretur quod coloratum aedificat, ad quam aedificationem nihil penitus facit color; *aut aliquid facit*, sicut fodere sepulcrum facit ad inventionem thesauri.

Henry, Q 10, q. 9 (fol. 426V)

Similiter, quod obiectum in eo quod voluntas movet seipsam non est causa sine qua non *arguunt sic*: duplex est causa sine qua non. *Una quae nihil agit, ut albedo in aedificando*, quando dicitur album aedificat; talis causa non est obiectum respectu actus volendi, quia voluntas sine obiecto nihil vellet, sine illa autem causa aedificans aedificaret. *Alia est quae aliquid agit*, quia agit aliquid quo facto aliud exit in actum, ut scamonea expellit choleram, quo facto virtus naturae infrigidat . . .

As to the context Godfrey has just developed an argument designed to show that the theory that attributes self-motion to the will and denies that it is moved by its object in fact ends by eliminating freedom. In this passage he considers a modification of that view according to which the object would not move the will to act but would serve as a *causa sine qua non* for its action. Against this he first replies that it rests on a faulty assumption by presuming that a *causa sine qua non* is always and necessarily required. He may here be thinking of the possibility of finding a builder, for instance, that is not colored in a

⁹⁵ Cf. the second argument under the *Videtur quod sic* and the reply to the same.

⁹⁶ *Op. cit.*, 134 and note 14. Italics by SCS.

certain way. Then he distinguishes two kinds of *causae sine quibus non*, one which contributes nothing to the effect (as when something colored builds), and another which does in some way contribute to it (as when digging a grave leads to discovery of a treasure). After rejecting the first alternative with respect to the relationship between the will and its object, Godfrey turns to the second. If the object is the kind of *causa sine qua non* that contributes something to its effect, in what genus of cause is it to be placed? He eliminates the possibility of considering it either as formal or material cause, observes that its role cannot be restricted to that of final cause, and therefore concludes that it must serve as efficient cause with respect to the will's act.⁹⁷

In this passage Henry considers one of a series of arguments directed against his view that the object is a *causa sine qua non* with respect to the will's self-motion.⁹⁸ The objection distinguishes between two types of *causae sine quibus non*, one which does nothing (as whiteness with respect to building), and one which does something, thereby enabling something else to act (as when scammony removes bile, thereby enabling a natural power to cool). The object cannot be regarded as a *causa sine qua non* in the first sense with respect to volition, since without the object there would be no volition while without whiteness the builder may still build. Nor can it be a *causa sine qua non* in the second sense, since nothing can do something that would enable something else to move itself. For anything to move itself *per se* is rejected by the objection as an impossibility.⁹⁹

At first sight there appears to be considerable similarity between these two texts. However, there is also some diversity. First of all, it is not clear that the second type of *causa sine qua non* is the same in the two passages. In Henry's version the example of scammony points to that type which removes an obstacle (*removens prohibens*) and whose action is necessarily connected with the effect. Godfrey's example of

⁹⁷ Cf. *op. cit.*, 24, and the conclusion as expressed on p. 25: "Ergo relinquitur quod si obiectum est causa sine qua non aliquid faciens ad effectum, quod sit causa effectiva in motione voluntatis et quod effective movet voluntatem."

⁹⁸ For discussion of this view in Henry cf. SCS, *op. cit.*, 64—6; Lottin, PM I, 277, note 4.

⁹⁹ In addition to the text cited cf. fol. 427R: "Sed sic obiectum non agit, quia nihil potest facere aliquid quo facto aliud moveat seipsum; quia aliquid per se movere seipsum, est per se impossibile." This sentence should also be regarded as part of the objection under discussion.

digging rather illustrates the kind of cause that is not necessarily or even frequently connected with the effect. In his *Commentary on the Metaphysics* Thomas Aquinas had used these two examples to illustrate different types of *causae per accidens* from the side of the effect, as distinguished from a *causa per accidens* from the side of the cause.¹⁰⁰

Moreover, the reasons for rejecting the object as a *causa sine qua non* of the second type differ in the two presentations. According to Godfrey, if the object does contribute something to the effect, it must be placed in one of the four supreme genera of causes. By process of elimination he attempts to show that one ends by regarding it as efficient cause of volition. But according to the objection as it is understood by Henry, identification of the object as the kind of *causa sine qua non* that does something leads to the view that it will enable something else to move itself *per se*, a completely unacceptable consequence in the objector's eyes. In short, then, in spite of some similarity in terms of the divisions of *causae sine quibus non*, the two passages really contain two different arguments. Once again, then, there seems to be little reason to think that Henry is here referring to and refuting Godfrey's Q 15, q. 4.

¹⁰⁰ In *Metaph.* V, lect. 3 (789): "Sciendum autem est, quod aliquid potest dici causa per accidens alterius dupliciter. Uno modo ex parte causae; quia scilicet illud quod accidit causae, dicitur causa per accidens, sicut si album dicatur causa domus. Alio modo ex parte effectus; ut scilicet aliquid dicatur causa per accidens alicuius, quod accidit ei quod est effectus per se. Quod quidem potest esse tripliciter. Uno modo, quia habet ordinem necessarium ad effectum, sicut remotio impedimenti habet ordinem necessarium ad effectum. Unde removens prohibens dicitur movens per accidens; sive illud accidens sit contrarium, sicut cholera prohibet frigiditatem, unde scammonaea dicitur infrigidare per accidens, non quia causat frigiditatem sed quia tollit impedimentum frigiditatis, quod est ei contrarium, scilicet choleram; sive etiam si non sit contrarium, sicut columna impedit motum lapidis, unde removens columnam dicitur per accidens movere lapidem superpositum. Alio modo quando accidens habet ordinem ad effectum, non tamen necessarium, nec ut in pluribus, sed ut in paucioribus, sicut inventio thesauri ad fossionem in terra. Et hoc modo fortuna et casus dicuntur causae per accidens. Tertio, quando nullum ordinem habent, nisi forte secundum existimationem; sicut si aliquis dicat se esse causam terraemotus, quia eo intrante domum accidit terraemotus." Note the similarities between this division of *causae per accidens* and those found in Godfrey's and Henry's discussions of *causae sine quibus non*: 1) compare that which is described as a *causa per accidens* from the side of the cause (Thomas) and the *causa sine qua non* which does nothing as regards the effect (Godfrey, Henry); 2) compare the first kind of *causa per accidens* from the side of the effect in Thomas with Henry's *causa sine qua non* which does something (illustrated by scammony in each case); 3) compare the second type of *causa per accidens* from the side of the effect in Thomas with Godfrey's *causa sine qua non* that does something (illustrated by digging and discovery of treasury in each).

Godfrey and Henry on Necessity in Volition

In this next passage from Henry's Q 10 SCS sees an *implicit* reference to Godfrey's Q 15 and, therefore, further support for his case.¹⁰¹

Godfrey, Q 15, q. 4 (p. 29)

Praeterea. *Illae positiones quae aequaliter ponunt necessitatem in actu voluntatis aequaliter ponunt vel tollunt libertatem arbitrii. Sed si hoc ponatur quod bonum ostensum moveat voluntatem, sive ponatur quod voluntas moveat se in illud, aequalis necessitas ponitur in actu voluntatis in acceptando vel respuendo, quia non potest acceptare nisi quod iudicatur bonum, nec respuere nisi quod iudicatur malum vel defectuosum. Ergo utraque positio aequae salvat libertatem arbitrii.*

Henry, Q 10, q. 9 (fol. 426V)

Secundum autem propter quod voluntas dicitur movere se, quia aliter periret liberum arbitrium *improbant sic, quoniam* voluntas vult quod non potest non velle, *et tamen libere vult*: universaliter enim bonum quod est simpliciter bonum, cum est visum non potest non velle et tamen libere vult. Similiter bonum particulare pro hora qua illud vult, non potest non velle, et tamen libere vult. *Unde idem inconveniens sequitur ponendo voluntatem a se moveri, et ab alio*, si sit inconveniens: *aequali enim necessitate movetur a se, et ab alio*; universaliter enim volens quando vult necessario vult non coacte, sed libere.

This passage from Godfrey is only one small part of an extended effort to show that the view that the will immediately moves itself is less successful in saving freedom than the view according to which the will is moved by its object and then moves the powers of apprehension to act, thereby indirectly moving itself with respect to secondary objects of volition. Godfrey then indicates that this effort will involve establishing three points: a) to hold that the will always moves itself and is not moved by its object destroys freedom; b) the view that the will moves itself immediately in every act is less capable of safeguarding freedom than that according to which it moves itself by means of the counsel and action of reason; c) Godfrey's opponents have as much difficulty in saving freedom by holding that the will is not moved by another but moves itself immediately as he has in holding that it is moved by its object (*quantum ad determinationem actus*) and that by means of the deliberation of reason it moves itself (*quantum ad exercitium actus*).¹⁰² The passage cited here is taken from part c, as a supporting argument.

¹⁰¹ SCS, *op. cit.*, 135. Italics by SCS.

¹⁰² *Op. cit.*, 21 and 23 for the outline of his reply; 24—6 for his discussion of point a; 26—8 for b; 28—9 for c.

Henry's text presents an objection directed against the claim that only his theory of self-motion of the will can preserve freedom.

For the sake of comparison, we will divide the arguments as follows:

Godfrey:

Purpose of the argument: to show that freedom can be no more effectively defended by a theory of immediate self-motion of the will than by a theory according to which the will moves itself only mediately, by means of the intellect's deliberation.¹⁰³

a) Those views that posit necessity to an equal degree in the will's act likewise defend or deny freedom of choice to an equal degree.

b) Whether it be held that the good as manifested moves the will or that the will moves itself toward such a good, equal necessity is thereby implied. Proof of *b*: the will can only accept or reject what has been presented to it by the intellect.

c) Therefore the two positions can defend freedom with equal effectiveness.

Henry:

Purpose of the argument: to refute the claim that only a theory of self-motion on the part of the will can preserve freedom.

a) What the will chooses it cannot not choose, and yet the will chooses it freely.

Proof of *a*: Such is true of the supreme good when it is grasped as such, and such is true of a particular good at the very moment when it is being chosen. In each case the good in question must be chosen and is still freely chosen.

b) Therefore, whether one holds that the will is moved by itself or by something else, the same difficulty rises, if one sees it as a difficulty. The will is moved by equal necessity in either case, although without constraint and therefore freely.

c) Hence, the unexpressed conclusion is this: one need not hold a theory of self-motion of the will in order to preserve its freedom.

There is similarity between the two passages in that in each some kind of necessity is admitted in the act of choice with respect to that which has been presented as good by the intellect (compare Godfrey *b* with Henry *a*). However, Henry's proof of *a* does differ from Godfrey's proof of *b* in that it considers separately the will's assent to the supreme

¹⁰³ "Modo, tertio ostendo quod non plus possent salvare libertatem arbitrii ponendo quod voluntas moveat se immediate quam ponendo quod moveat se mediante motu deliberationis . . ." (*op. cit.*, 28).

good when it is grasped as such, and its assent to particular goods. Godfrey is content to stress the need for the intellect to present the good to the will. Again, each version insists that this degree of necessity will remain the same whether one concedes self-motion to the will or holds that it is moved by its object (compare Godfrey *b* with Henry *b*).

However, there are also other differences between the two texts. First of all, as regards purpose, Godfrey's argument is designed to show that freedom can be no more effectively defended by a theory of immediate self-motion of the will than by one that requires the intervention of the object as presented by the intellect. Henry's objector wishes to show that a theory of self-motion by the will need not be adopted if one is to safeguard freedom. Godfrey's stated purpose might well be subordinated to that expressed by Henry's objector (as seems to occur in the course of the argument as it is found in Henry), but the explicit formulation of purpose differs in the two texts. Again, the organization of the arguments differs, as can be seen from their respective parts as we have divided them. It is quite conceivable, of course, that Henry could have had such a version of the argument before him and reworked it in his own way. But such a possibility of itself does not constitute proof that this was indeed the case, unless stronger supporting evidence is also at hand.

Finally, it is not an unlikely line of argumentation for any defender of the will's passivity with respect to its object to adopt. Undoubtedly aware that such a theory would be challenged as prejudicial to freedom of the will, he would naturally endeavor to show that such a charge was not well grounded, and that his view could defend freedom as effectively as that which attributes immediate self-motion to the will. In sum, then, the evidence for *direct* textual interdependence between Godfrey and Henry in these two passages is not strong, at least not strong enough in itself to lead us to conclude that Henry was indeed here following Godfrey.

With this our investigation of the relationship between Henry's Q 10 and Godfrey's Q 15 comes to an end.¹⁰⁴ Upon completing our study of

¹⁰⁴ Having now proved to his own satisfaction that Godfrey's Q 15 is presupposed by Henry's Q X and is therefore to be dated at Christmas, 1286, SCS occasionally assumes that it is also presupposed by other relatively early works. Cf. for instance pp. 153—4, where it would have influenced Henry in his criticism of a certain *tractus parvus* (identified by SCS with Ms. Vat. Lat. 2173) in Q 11, q. 6 (Easter, 1288 according to SCS, 167); p. 187, note 47, where he sees in this same Quodlibet of Henry another reference to Q 15; p. 186 ff., where he suggests that Giles of Rome would have referred to it in his Q 5 (Easter, 1290); pp. 233—4, where Thomas of Sutton is cited

Godfrey's Q 15 and Gonsalvus of Spain's Disputed Questions 11 and 13 we concluded that the evidence pointed strongly toward direct textual interdependence there and that if such were so, it seemed much more likely that Godfrey was following Gonsalvus' text rather than the opposite. Nothing that we have found in SCS's discussion of Q 15 and Henry's Q 10 leads us to abandon that conclusion. In short, granted the difficulty in arriving at apodictic certitude in such a matter, in the light of the evidence presently available to us, we remain unconvinced by SCS's efforts to show that Godfrey's Q 15 is to be dated in 1286. It appears to us as far more likely that it should continue to be dated c. 1303—4 and to be regarded as his last quodlibetal question.

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as referring to it. In each of these cases the authors in question *could* have been referring to Q 15 if it had indeed been written prior to their respective works. But in none of these instances is the suggested reference pointed enough to constitute evidence that such was indeed the case. Again, if our position as to the date of Q 15 is correct, SCS's acceptance of the earlier dating has misled him at times when he discusses development of Godfrey's thought from Q 15 to "later" quodlibets (cf. p. 182 and 200 ff.). Finally, SCS (p. 198) sees in a citation from Godfrey's Q 8, q. 2 a reference to his Q 15, q. 20: "... sed, sicut dictum est in aliis, talis actio tamquam in principale agens reducitur in ipsum generans . . ." (PB 4, 29). However, if the *sicut dictum est in aliis* does refer to one of his earlier works, it is surely Q 6, q. 4 (PB 3, 116—117). More likely, however, Godfrey is simply here referring to other cases he has just considered in this same Q 8, q. 2 (cf. pp. 27—28).

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